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1925.
NEW ZEALAND.

MENTAL DEFECTIVES AND SEXUAL OFFENDERS.

REPORT OF THE COMMITTEE OF INQUIRY APPOINTED BY
THE HON. SIR MAUI POMARE, K.B.E., C.M.G., MINISTER OF HEALTH.

Laid on the Table of the House of Representatives by Leave.

CONSTITUTION OF THE COMMITTEE.

HON. W. H. TRIGGS, M.L.C., Chairman.

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J. BECK, Esq., Officer in Charge Special Schools Branch, Education Department.

Secretary: J. W. BUCHANAN, Esq.

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The Hon. the Minister of Health, Wellington.

SIR,—

The Committee of Inquiry into Mental Defectives and Sexual Offenders appointed by you to inquire into and report upon the necessity for special care and treatment of mental defectives and sexual offenders in New Zealand have the honour to submit herewith their report.

PART I.—INTRODUCTORY AND HISTORICAL.

SECTION 1.—ORIGIN AND SCOPE OF INQUIRY.

For a considerable time there has been a growing feeling of anxiety among the public owing to the number of mental defectives becoming a charge upon the State, and also the alarming increase in their numbers through the uncontrolled fecundity of this class. Furthermore, owing to the frequency of sexual offences, many of a most revolting character, there was a strong demand that some action should be taken to prevent further acts of this nature; it being suggested that the law should be altered to make it possible for surgical operations to be performed upon these offenders.

The North Canterbury Hospital Board considered the need for action in this matter so great that they set up a Committee to go into the question and take evidence, which was done, and various recommendations were made to the Government.

A perusal of departmental files reveals that many persons and social bodies have urged upon the Government the desirability of setting up a Committee or Commission of Inquiry to go into this subject.

The Minister of Health duly considered the representations made, and appointed the following Committee to inquire into the question:—

The Hon. W. H. Triggs, M.L.C. (Chairman).

Sir Donald McGavin, Kt., C.M.G., D.S.O., M.D. (Lond.), F.R.C.S. (Eng.).

Sir F. Truby King, Kt., C.M.G., M.B., B.Sc. (Public Health) (Edin.).

J. Sands Elliott, Esq., M.D., Bac. Surg. (Edin.), Chairman of the Council of the British Medical Association (New Zealand Branch).

Miss Ada G. Paterson, M.B., Ch.B. (N.Z.), L.M. (Dublin).

C. E. Matthews, Esq., Under-Secretary for Justice and Controller-General of Prisons, &c.

J. Beck, Esq., Officer in Charge, Special Schools Branch, Education Department.

The function and duty laid upon the Committee was as follows:—

- (1.) To inquire and report as to the necessity for special care and treatment of the feeble-minded and subnormal, and to propose the general means by which such care and treatment, if any, should be provided.
- (2.) To inquire and report as to the necessity for the treatment of mental degenerates and persons charged with sexual offences, and to recommend forms of treatment for the various types of cases.

The Minister of Health expressed his desire that the Committee should hear such evidence and representations on the above-mentioned matters as might be necessary fully to inform the Committee on the questions referred to it, and further suggested to the Committee that the various organizations and persons likely to be interested should be notified that the Committee would, at a certain place and date, hear any evidence they might desire to tender.

The following places were visited and inspected by the Committee: The Myers Special School, Auckland; the Waikeria Prison Reformatory; the Tokanui Mental Hospital, Waikeria; the New Plymouth Prison; the Boys' Training-farm, Weraroa; the Point Halswell Reformatory for Women, Wellington; the Special School for Girls, Richmond, Nelson; the Mental Hospital, Nelson; the Mental Hospital, Stoke, Nelson; the Te Oranga Home, Burwood, Christchurch; the Paparua Prison, Templeton; the Special School for Boys, Otekaieke; the Caversham Industrial Home for Girls, Dunedin; the Borstal Institution, Invercargill.

Sittings were held at various centres in New Zealand, and a large number of witnesses were examined, as shown in the following table:—

Places and Dates of Sittings	Witnesses examined or Work done.
Wellington, 23rd May, 1924. (Forenoon only)	Preliminary meeting.
Wellington, 30th May, 1924. (Forenoon only)	Dr. Clark, School Medical Officer, Napier Mr. J. Caughley, M.A., Director of Education. Professor J. Tennant, Professor of Education, Victoria College.
Wellington, 2nd June, 1924. (Forenoon only)	Mr. N. R. McKenzie, Inspector of Schools, Education Department. Miss N. Valentine, Education Department. Miss Barlow, Education Department. Dr. Elizabeth Gunn, School Medical Officer, Wanganui.
Wellington, 4th June, 1924. (Forenoon only)	Mrs. McHugh, Health Patrol, Wellington. Father McGrath, representing His Grace the Archbishop of the Roman Catholic Church. Mr. T. P. Mills, Superintendent, Presbyterian Orphanage and Probation Officer. Dr. Jeffreys, Medical Superintendent, Porirua Mental Hospital.
Auckland, 11th June, 1924.	Dr. Hilda Northcroft Dr. Kenneth MacKenzie } Representing the British Medical Association, Auckland Dr. E. Robertson } Branch. Dr. Mildred Staley. Dr. J. R. Macredy, School Medical Officer, Auckland. Canon F. W. Young, Council of Christian Churches, Auckland. Dr. Fitt, Professor of Education, Auckland University. Mrs. Nicoll. Mrs. Watson.
Auckland, 12th June, 1924.	Dr. Milsom, representing the British Medical Association, Auckland Branch. Professor Anderson, Professor of Moral and Mental Philosophy, Auckland University. Mr. J. Cupit, Juvenile Probation Officer. Mr. W. E. A. Gibbs. Professor Sperrin-Johnson, Professor of Biology, Auckland University. Mr. H. Binstead, Lecturer on Psychology, Training School, Auckland. Rev. Jasper Calder. Mr. W. S. J. Dales. Dr. Wilkie, School Medical Officer, Auckland.
Auckland, 13th June, 1924.	Sister Hannah, representing the National Council of Women. Miss M. Girdler, St. Mary's Home, Otahuhu. Mr. C. W. Carter. Rev. T. K. Jeffreys, Presbyterian Social Service Association. Mr. J. W. Poynton, S.M. Mr. N. Law, Headmaster, Normal School. Dr. Beattie, Medical Superintendent, Auckland Mental Hospital. Dr. D. N. Murray, Prison Medical Officer. Visit of Inspection to the Myers Special School, Queen Street, Auckland.
Hamilton, 14th June, 1924.	Dr. Douglas. Dr. F. S. Pinfold. Mr. Phillip Goodwin, Juvenile Probation Officer.
Waikeria Reformatory, 15th June, 1924.	Dr. H. L. Gribben, Superintendent, Waikeria Reformatory, and Medical Superintendent of the Tokanui Mental Hospital. Dr. MacPherson, Tokanui Mental Hospital. Visit of inspection paid to Waikeria Reformatory and Tokanui Mental Hospital.
New Plymouth, 25th June, 1924.	Miss Tootell, Boarding-out Officer, Wanganui. Dr. R. C. Brewster, Gaol Surgeon, New Plymouth. Mr. E. T. Holden, Secretary, New Plymouth Hospital Board. Visit paid to New Plymouth Prison.
Otekaieke, 2nd July, 1924.	Miss Wylie, Head Teacher of Special School.

	Mr. William Meikleham, Manager of Special School. Visit paid to Special School for Boys and Farm at Otekaieke.
Dunedin, 3rd July, 1924.	Mrs. Joan Murray, representing Society for Protection of Women and Children. Dr. E. Irwin, School Medical Officer. Mr. J. Lock, Juvenile Probation Officer. Dr. A. M. McKillop, Superintendent, Mental Hospital, Seacliff. Dr. A. R. Falconer, Medical Superintendent, Dunedin Hospital. Mr. G. M. Galloway, representing the Society for Protection of Women and Children.
Invercargill, 4th July, 1924.	Mr. M. Hawkins, Inspector of the Prisons Department and Superintendent of the Borstal Institution. Mr. McCarroll, Juvenile Probation Officer, Education Department. Mr. Pryde, Secretary of the Hospital Board. Mr. McLean, Hon. Secretary of the Prisoners Aid Society. Visit of inspection paid to Borstal Institution and Farm.
Dunedin, 5th July, 1924.	Visit of inspection paid to Caversham Industrial School for Girls.
Dunedin, 7th July, 1924.	Dr. Marshall McDonald } Representing the British Medical Association, Dunedin Dr. Kenneth Ross } Branch. Miss Ralston, Inspector of Industrial and Special Schools. Dr. Stuart Moore. Mr. A. M. Paterson.
Christchurch, 9th July, 1924.	Dr. F. V. Bevan-Brown, representing the British Medical Association, Christchurch Branch. Dr. C. L. Nedwill, Prison Medical Officer. Miss Cardale, representing the National Council of Women. Dr. A. C. Thomson, representing the British Medical Association. Rev. P. Revell, Secretary, Prison Gate Mission. Mrs. Herbert. Miss Hunt, Superintendent, Addington Reformatory. Mr. J. A. Blank, Attendance Officer, Education Department. Miss Baughan, Official Visitor to the Addington Reformatory.
Christchurch, 10th July, 1924.	Dr. Crosbie, Medical Superintendent, Mental Hospital. Dr. Levinge. Mr. Gunning, Juvenile Probation Officer, Timaru. Mr. William Reece, member of the Prisons Board. Professor Chilton, Professor of Biology, Canterbury College. Mr. C. T. Aschman, Headmaster, Normal School. Miss Howlett, representing the National Council of Women and Women's Christian Temperance Union. Miss Edwards, Manager of the Receiving Home, Christchurch. The Hon. G. W. Russell. Visit of inspection paid to Te Oranga Home, Burwood.
Christchurch, 11th July, 1924.	Dr. Phillipps, School Medical Officer. Professor Shelley, Professor of Education, Canterbury College. Mr. A. Bissett, Juvenile Probation Officer, Christchurch. Visit of inspection paid to Paparua Prison, Templeton.
Wellington, 15th July, 1924. (Forenoon only)	Colonel Bray, Secretary, Men's Department, Social Service Work, Salvation Army. Canon T. Feilden Taylor, Social Service Department of Church of England. Professor Kirk, Professor of Biology, Victoria College. Mr. F. S. Shell, Juvenile Probation Officer.
Wellington, 16th July, 1924. (Forenoon only)	Dr. E. Fenwick, representing the British Medical Association, Wellington Branch. Mrs. Brigadier Glover, Salvation Army Prison Officer and Probation Officer. Miss Jean Begg. Mr. R. W. Bligh, White Cross League representative.
Wellington, 24th July, 1924.	Visit of inspection to Point Halswell Reformatory, Wellington.
Levin, 5th August, 1924.	Visit of inspection to Boys' Training Farm, Weraroa.
Nelson, 22nd August, 1924.	Dr. Gray, Superintendent, Mental Hospital, Nelson. Visit of inspection to Special School for Girls, Richmond. Visit of inspection to Mental Hospital, Stoke. Visit of inspection to Mental Hospital, Nelson.
Wellington, 9th September, 1924. (Forenoon only)	Consideration of report.
12th September, 1924.	"
15th September, 1924. (Afternoon only)	"
16th September, 1924. (Afternoon only)	"
22nd September, 1924. (Afternoon only)	"
6th October, 1924. (Forenoon only)	"
13th October, 1924. (Forenoon only)	"
22nd October, 1924. (Forenoon only)	"
24th October, 1924.	"
28th October, 1924. (Forenoon only)	"
29th October, 1924. (Forenoon only)	"
5th November, 1924. (Forenoon only)	"

It will thus be seen that, apart from time spent in travelling, the Committee have met on thirty-five days and have heard ninety-two witnesses in person.

The Committee would like to express their thanks to the witnesses, many of whom went to considerable trouble to collect information and prepare evidence. They are especially grateful to the British Medical Association for its willing co-operation and assistance; to the large number of members of the medical profession throughout the Dominion who responded to the Committee's request for information; to the authorities overseas for their response to requests for information; and to many other persons who by means of correspondence and literature have placed at the Committee's disposal a large amount of information which has been

of material assistance in the investigation; also to the various Hospital Boards throughout the Dominion who so willingly placed their Boardrooms at the disposal of the Committee.

Sir George Newman, the Chief Medical Officer of the Board of Education and the Ministry of Health, England, very courteously supplied the Committee with a valuable memorandum on the care of mental defectives in England and Wales, while the Secretary of State for the United States, through the good offices of the American Consul-General, Mr. Edwin N. Gunsaulus, kindly forwarded information supplied by the United States Public Health Service regarding the legislation and regulations in force in various States where sterilization for eugenical purposes has been legalized.

Information of great value and interest has also been received from Dr. E. S. Morris, Director of Health, Tasmania; from Dr. Helen MacMurphy, Department of Health, Ottawa; and from Dr. Eric Clarke, Toronto, Assistant Medical Director, Canadian National Conference for Mental Hygiene.

The Committee further wish to make special mention of the services rendered by the Secretary, Mr. J. W. Buchanan, whose work has been very heavy owing to the number of witnesses examined and the extent of ground covered in a comparatively short time. This would not have been possible but for the complete arrangements made by Mr. Buchanan, and the ability and energy which he showed generally in the discharge of his duties left nothing to be desired.

SECTION 2.—TWO DISTINCT QUESTIONS.

Before proceeding to the subject-matter of the Committee's investigations and the conclusions arrived at it is necessary to point out as clearly and emphatically as possible that the questions submitted to the Committee were entirely separate and distinct from each other. It is true that a certain proportion of mental defectives show their lack of self-control in regard to sex instincts and functions as in other respects. This is particularly the case with mentally defective girls, and constitutes one of the chief difficulties in dealing with them satisfactorily. Some of this class find their way into prison on account of sexual offences, but it is very far from correct to suppose that all feeble-minded persons are sexual offenders, or that all sexual offenders are mentally defective. On the contrary, among sexual offenders of the worst type, those convicted of unnatural offences, are occasionally found to be persons possessing intellectual and artistic powers above the average. There is something wrong in their mental, moral, and emotional balance, as will be pointed out in the proper place, but, as a rule, it is not the "intelligence quotient" which is at fault.

PART II.—PROBLEM OF THE FEEBLE-MINDED.

SECTION 1.—A MENACE TO MODERN CIVILIZATION.

The Committee are of opinion that the unrestricted multiplication of feeble-minded members of the community is a most serious menace to the future welfare and happiness of the Dominion, and it is of the utmost importance that some means of meeting the peril should be adopted without delay. The position is the more serious because, while the feeble-minded are extraordinarily prolific, there is a growing tendency among the more intellectual classes for the birth-rate to become restricted.

An American writer, Lothrop Stoddart, in his striking book entitled "Revolt against Civilization," expresses the fear that the very foundations of civilization are being undermined. He finds reasons for great pessimism as regards the future in the results of the intelligence tests taken in the American Army during the war.

The American War Department made psychological tests of 1,700,000 officers and men, who were graded as follows:—

Grade.	Percentage.	Mental Age.	
A	4½	18-19	Very superior intelligence.
B	9	16-17	Superior intelligence.
C1	16½	15	Average intelligence. (Rarely capable of finishing high-school course.)
C—	25	13-14	Low average intelligence.
D	15	11	Inferior intelligence.
D—	10	10	Very inferior intelligence.

Assuming that these 1,700,000 men are a fair sample of the entire population of 100,000,000 (and Stoddart says there is every reason to believe that it is a fair sample), this means that the average mental age of Americans is only about fourteen; that 45,000,000, or nearly one-half of the whole population, will never develop mental capacity beyond the stage represented by a normal twelve-year-old child; that only 13,500,000 will ever show superior intelligence; and that only 4,500,000 can be considered "talented." "Still more alarming," the author continues, "is the prospect of the future. The overwhelming weight of evidence indicates that the A and B elements in America are barely reproducing themselves, while the other elements are increasing at rates proportionate to their decreasing intellectual capacity; in other words, that intelligence is to-day being steadily bred out of the American population."

The biologist Davenport calculated that at present rates of reproduction 1,000 Harvard graduates of to-day would have only fifty descendants two centuries hence, whereas 1,000 Roumanians to-day in Boston, at their present rate of breeding, would have 100,000 descendants in the same space of time.

Mr. Lothrop Stoddart emphatically scouts the view which is occasionally put forward to the effect that genius is a form of insanity, and that therefore one ought to be careful about discouraging the marriage even of epileptics and mentally unbalanced persons for fear a possible Napoleon or Julius Cæsar or Beethoven should be lost to the world. "Careful scientific investigation," he says, "has clearly disproved this notion. For one thing, elaborate statistical studies of eminent persons have shown them to be less liable to insanity than the general population. Of course, a considerable number of eminent men can be listed who unquestionably suffered from various neuropathic traits. But it was not those traits that made them eminent; on the contrary, these were handicaps. Somewhere back in their ancestry a taint was introduced into a sound superior strain, and produced this disharmonic combination of qualities."

SECTION 2.—HEREDITY v. ENVIRONMENT.

The Committee feel bound to refer to the great strides made during the last half-century towards establishing laws and theories of genetics and heredity. Unfortunately, terms such as the "integrity of the germ plasm" and "the Mendelian law," while marking great advances in biological thought and science, have become too much associated in the public mind with a depressing and fatalistic notion that heredity determines everything and that environment can play but a very insignificant part in human evolution, development, and progress—physical, mental, or moral. Such, of course, is not the case.

In ultimate origin all evolution and all heredity are the outcome, summation, and expression of the effects of environmental influences, acting on the whole organism under certain laws of transmission. The laws of heredity, though as yet only partially determined, are already sufficiently ascertained to prove for practical purposes that, in order to promote integration and further progress in human evolution—not disintegration and degeneration—two things are essential and complementary. On the one hand, we must do everything possible in the direction of improving the nutrition, health, conditions of life, and habits of the community; and, on the other hand, we must promote and encourage parenthood on the part of the best and stables stocks, and do everything in our power to discourage, or in the extreme cases even to prevent, proliferation of unfit and degenerate strains.

For the purpose of the present inquiry we need merely state as a practical preliminary regarding heredity that it has been proved beyond question that if two feeble-minded persons marry they will most probably produce abundant offspring, of whom all may be subnormal, and a large proportion will become a burden on the State; and that if one such person is mated with a healthy individual an undue proportion of their children are likely to prove degenerate or defective, and the unsoundness will continue to make its appearance in succeeding generations.

While local evidence confirmatory of this came before the Committee, first place will be given to certain classic and exhaustive investigations and life-histories of degenerate families, going back many generations, such as no young country could possibly supply. However, the forcible and far-sighted report of the late Dr. Duncan Macgregor (originally Professor of Mental Science at Otago University, and subsequently Inspector-General of Asylums, Hospitals, and Charitable Aid), quoted in the Appendix, shows clearly that some very degenerate stocks imported into this country under the active immigration policy of the "seventies" and "eighties" were already threatening, thirty-five years ago, to become a serious tax on the country, as well as tending to lower the high physical, mental, and moral standard established by the original pioneers and settlers.

We shall now revert for the moment to the environmental factor. The first most pressing and immediate practical duty of the Government and the community is to spare no pains to improve the status and environment of the family so as to promote the highest attainable standard of physical, mental, and moral health for the new generation—already in our midst or bound to arrive in the course of the next few years.

It is becoming more and more widely recognized that by due attention to the pre-natal and post-natal care of mother and child an infinity of good can be done—indeed, a great deal is already under way in this direction throughout the Dominion. But the Committee are satisfied that much more ought to be done to ensure for children of the pre-school and school ages more generally favourable home conditions, and healthier environment and habits outside the home.

In the meantime it is obvious that very little can be effected in the way of bettering the average heredity; but are we taking adequate measures in the direction of improving the environment of mother and child? The housing problem is still far from satisfactory; help in the home can scarcely be procured, and the rearing and care of children throughout the pre-school and school periods, in a large proportion of cases, is neither conducive to a high standard of nutrition, growth, and moral development, nor to the establishment of normal self-control, especially as regards sexual habits and manifestations. The Committee cannot ignore the fact that the leading medical and psychological authorities lay it down as an axiom that the power of self-control is at its highest when the individual is physically active, well-nourished, and in perfect bodily health, and that impaired control always accompanies impaired nutrition, debility, and disease. It has been said, with profound wisdom and insight, that ultimately and fundamentally reproduction should be regarded as essentially "an exuberant phase of nutrition"; and there is no escaping the wide implication of Schiller's aphorism that "Love and Hunger rule the World."

In view of these considerations the Committee feel compelled to refer to such serious handicaps to all-round health, control, and efficiency as the prevalence of wrong feeding habits—*e.g.*, giving children food between meals and the insufficient provision of fresh fruit and vegetables in the daily diet and the abuse of sweets. Other prominent and avoidable handicaps, seriously affecting many children throughout the Dominion, which ought to receive more serious attention are insufficiency of sunlight and fresh air in the home and at school, insufficient daily outing and exercise, lack of adequate provision in the way of playgrounds and swimming-baths, and last, but not least, the highly injurious practice of frequenting "picture-shows."

As the Committee are called on to deal specially with the problem of increasing manifestations of sexual depravity they cannot pass by the fact that in the course of the last twenty years the younger members of the community have been spending a steadily increasing proportion of their time, during the most impressionable period of life, in what are liable to prove forcing-houses of sexual precocity and criminal tendencies. There is every reason for regarding the habit of "going to the pictures" without adequate restrictions as contributing seriously to precocious sexuality, and also to weakening the powers of inhibition and self-control in other directions—powers which are the distinctive attributes of the higher human being.

Alongside these considerations, the bodily harm done to the young by frequently spending their afternoons and evenings in hot, stuffy, overcrowded halls shrinks into insignificance, though serious enough in itself.

The Committee endorse the opinions expressed by Education authorities, and by practically every organization throughout the Dominion concerned with the welfare of children, upon the harmful effect of moving-picture shows as at present conducted. The Committee sympathizes with proposals for reform along the following lines:—

- (1.) Stricter censorship, not only of films, but of picture posters, handbills, and advertisements.
- (2.) Regulations as to the age of admission for children when unaccompanied by a responsible adult, and to such pictures as are not pronounced by the Censor as suitable for children.
- (3.) Proper safeguards for the morals of children and young persons within picture-theatres, including adequate supervision of the premises.

The Committee desire it to be clearly understood that in this report they have not particularly dealt with mental disabilities resulting from diseases such as syphilis, or toxic influences such as alcohol, drugs, &c. These questions have already been covered to some extent by the Report of the Venereal Diseases Committee, and in any case would involve too wide a field of investigation for the present inquiry.

An authoritative summary taken from this year's report of the Director of the Division of School Hygiene is quoted in the Appendix as pointing out most of the faults and mistakes in environment and upbringing to which reference has been made, and because it draws special and much-needed attention to the injurious effects of overwork and excessive competition and the need for more sleep and rest.

We would merely add to this very clear, practical statement that encouragement of excessive competition, inside or outside the school, for any purpose whatsoever, is costly and damaging to the whole being, and that, in the opinion of the Committee, nothing needs to be impressed more strongly on parents and school-teachers than Froebel's injunction, "Give space and time and rest."

SECTION 3.—ILLUSTRATIVE CASES OF HEREDITARY DEGENERACY.

The Juke Family.

To show the close relationship existing between the criminal and the psychopath the record of the so-called Juke family in America was compiled by R. L. Dugdale.

The descendants of one morbid couple were traced through five generations. Whilst a small proportion were honest workers, the great majority were paupers, criminals, and prostitutes.

Of 540 Jukes practically one-fifth were born out of wedlock, 37 were known to be syphilitic, 53 had been in poorhouses, 76 had been sentenced to prison, and of 229 women of marriageable age 128 were prostitutes. The economic damage inflicted upon the State of New York by the Jukes in seventy-five years was estimated at more than \$1,300,000, to say nothing of diseases and other evil influences which they helped to spread.

A more recent investigation shows that 2,820 people have been studied; 2,094 were of Juke blood and 726 of "X" blood married into the Juke family; of these, 366 were paupers, while 171 were criminals, and 10 lives have been sacrificed by murder. In school-work 62 did well, 288 did fairly, while 458 were retarded two or more years. It is known that 166 never attended school; the school data for the rest of the family were unobtainable. There were 282 intemperate and 277 harlots. The total cost to the State has been estimated at \$2,093,685.

The Kallikak Family.

The history of the Kallikak family has been traced and fully described in detail by Dr. Goddard, and his study shows the hereditary nature and sociological bearings of feeble-mindedness.

Martin Kallikak was a youthful soldier in the Revolutionary War. At a tavern frequented by the militia he met a feeble-minded girl by whom he became the father of a feeble-minded son. In 1912 there were 480 known direct descendants of this temporary union. It is known that 36 of these were illegitimates; that 33 were sexually immoral; that 24 were confirmed alcoholics; and that 8 kept houses of ill-fame. The explanation of so much immorality will be obvious when it is stated that of the 480 descendants 143 were known to be feeble-minded, and that many of the others were of questionable mentality.

A few years after returning from the war this same Martin Kallikak married a respectable girl of good family. From this union 496 individuals have been traced in direct descent, and in this branch of the family there were no illegitimate children, no immoral women, and only one man who was sexually loose. There were no criminals, no keepers of houses of ill-fame, and only two confirmed alcoholics. Again the explanation is clear when it is stated that this branch of the family did not contain a single feeble-minded individual. It was made up of doctors, lawyers, judges, educators, traders, and landholders.

New Zealand Cases.

But it is not necessary to go to the records of older countries to find examples of this kind. Unfortunately, this young Dominion, whose history as a European settlement is comprised within the lifetime of its oldest inhabitants, is already reproducing some of the saddest problems of civilization which perplex the people of the Old World. We started with every advantage in the shape of a favourable climate and rich natural resources. The original settlers were, for the most part, men and women of sturdy determination, enterprising spirit, and strong physique.

In the "seventies" a vigorous public-works policy was inaugurated, and great efforts were made to introduce fresh population, the result being that undoubtedly a great impetus was given to settlement, and the country was fairly started on the road to prosperity. But, unfortunately, it is now only too apparent that insufficient care was taken in the selection of immigrants.

The following extract from a statement made to the Committee by Sir Robert Stout, Chief Justice, and President of the Prisons Board, illustrates this point: "The Prisons Board has sometimes brought before it several persons of one family who have offended against our laws, and in the experience I had in 1884 and 1885, when looking after our Hospitals and Charitable Aid Department in the General Government, I found that people obtaining charitable aid had done so for three generations; that is, grandfather, father or mother, and children were all obtaining aid from the Government because they were unable to maintain themselves. Some of the cases were traced, and it was found that the grandfathers, or grandparents, had been originally in poorhouses in the Homeland, and although they came to New Zealand and had greater opportunities than they had in their Homeland, yet their inability to provide for themselves continued."

How serious the problem has already become will be seen from the following illustrative cases selected from a large number given in the evidence:—

Case No. 1.

Father: Weak-minded.				Mother: Weak-minded.				
Female, born 1906.	Female, born 1907.	Female, born 1908.	Female, born 1909.	Female, born 1911.	Male, born 1912.	Male, born 1913.	Male, born 1915.	Female, born 1916.

All these children except one are feeble-minded, and when committed to the care of the State were found living under deplorable conditions. Most of these children will require lifelong control in an institution. The total cost of maintaining this family will be approximately £9,500. These children are cousins of another family under State control. There are four children, two of whom are simple-minded. The mother is feeble-minded, and the father died in a mental hospital. In this case the mothers of the children are sisters.

Case No. 2.

Father: Feeble-minded.				Mother: Feeble-minded and drunkard.						
Female, illegitimate, born 1902.	Male, born 1904.	Male, born 1906.	Male, born 1907.	Male, born 1910.	Male, born 1912.	Female, born 1914.	Female, born 1916.	Male, born 1918.	Male, born 1920.	Male, born 1923.

All these children are feeble-minded and have been brought under State control shortly after birth. Some are now in mental hospitals and some in special schools. All these children are lifelong custodial cases. The cost to the State for maintenance is approximately £16,000, towards which amount the father has contributed but £6.

Case No. 3.

Father: Old-age pensioner in Home for Aged People.				Mother: Apparently weak mentally and morally—at present in reformatory home.											
1. Female. Prostitute residing with drunkard.		2. Female. Prostitute and addicted to drink.		3. Female. Immoral and generally bad character. Inmate of private reformatory.		4. Female. Indifferent, married criminal, now in prison.		5. Female. Drunkard and married a drunkard although man of good education.		6. Female. Well-known prostitute, married member of notorious criminal family, and himself criminal.					
Female, born 1908.	Female, born 1911.	Male, born 1913.	Male, born 1914.	Female, born 1912.	Female, born 1917.	Male, born 1911.	Male, born 1912.	Female, born 1908.	Female, born 1912.	Female, born 1916.	Female, born 1898.	Female, born 1900.	Female, born 1902.	Female, born 1908.	Male, born 1910.
All these children are illegitimate. Reputed father a drunkard and man of bad character.				All these children are illegitimate. In most cases the father is unknown.				Both illegitimate. Reputed fathers well-known bad characters.		Mother married a widower with three children. There are three more of marriage maintained by the State.		All delicate neurotic types and difficult to manage.			

All these children, numbering twenty-one, were committed to the care of the State, in most cases shortly after birth. Twelve of the children are illegitimate. The husband of daughter No. 6 is also the father of one each of the offspring of daughters Nos. 2 and 3. Most of the children are delicate and poorly developed, and at least six of them are definitely tubercular. The remainder are either neurotic or erratic in their conduct and have given a great deal of trouble in their upbringing. The total cost to the State for the maintenance of these children may be quoted at £10,000, but of this amount £482 has been recovered from the various men liable. It is difficult to assess the State's total commitment. If some of the children have to be maintained until they reach the age of twenty-one the additional cost will be £3,000. There is the probability, too, that the offspring of these children will become charges upon the State.

Case No. 4.

Father: Addicted to drink and degenerate.					Mother: Drunkard and morally deficient.				
Female, born 1908.	Male, born 1909.	Admitted special school, 1920.	Female, born 1910.	Male, born 1914.	Male, born 1916.	Male, born 1917.	Male, born 1918.	Male, born 1920.	Male, born 1923.
All these children are illegitimate and are feeble-minded, requiring lifelong control. Three are now inmates of mental hospitals, and in time the remainder of the family at present in special schools will be sent on to mental hospitals.							All probably feeble-minded. Not yet brought under State control.		

An officer of the Education Department describes the home as "one of the dirtiest and most squalid homes I have seen." The cost (including past, present, and approximate future maintenance) to the State for the upkeep of this family is estimated at £10,000. Nothing has been paid by the parents towards the support of these children. In all probability, the remaining members of the family will be brought under State control at a probable cost of £4,500.

Case No. 5.

Father: Drunken waster; subnormal; frequently in gaol.				Mother: Feeble-minded helpless invalid. Died shortly after children committed to care of State.					
Male, born 1904.	Female, born 1907.	Male, born 1909.	Male, born 1911.	Male, born 1913.	Female, born 1914.	Male, born 1916.	Female, born 1914.	Male, born 1916.	Male, born 1916.
Tubercular. Partly self-supporting.	Tubercular. Suffers from epileptic seizures. Inmate mental hospital. Lifelong custody.	Subnormal. May in time become partly self-supporting under favourable conditions.	Mentally deficient. Case for lifelong control.	Mentally deficient. Lifelong custodial case.	Feeble-minded and badly nourished. Case for permanent segregation.	Very backward. May become partly self-supporting under favourable conditions.			

In 1916 the whole of this family was committed to the care of the State, and at least six of them will be lifelong cases. The cost to the State, computed up to twenty-one years in each case, is approximately £8,500, but the additional future cost may easily be estimated at £5,000, making in all the sum of £13,500. The father was ordered to pay at the rate of 15s. a week, but the amount recovered from him to date is only £156.

Case No. 6.

Father: Subnormal. Was a watersider, so dirty in habits that watersiders complained. A sexual case.				Mother: Has always been addicted to periodic fits of insanity. Has been in mental hospital on several occasions.					
Female, born 1904.	Female, born 1909.	Female, born 1915.	Female, born 1916.	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
Subnormal.	Subnormal; also delinquent.	Subnormal.	Subnormal.						
These four children were committed to the care of the state in 1917.							Not yet brought under State control.		

The approximate cost to the State of maintaining these four children will be £5,150, less what is recovered from the father. Up to the present the amount received from him is £176. Should the other three children be brought under State control, the additional cost may amount to approximately £5,000.

This is a glaring case of persons being allowed to marry who are totally unfit to marry. A relative stated that the mother's mentality was in a shocking state at the time of marriage. The father has always been subnormal. The woman is too insane at times to attend to ordinary household duties or matters of ordinary personal cleanliness. At the time the children were committed the home was in a shockingly filthy condition, and at that time was one of the worst brought under the notice of the Department in the district. The second girl (age fifteen) has had her hair cut for the sake of cleanliness by some kindly disposed well-wisher. The mother allowed the dirt to accumulate to such an extent that the whole of the girl's head was covered with a scab of dirt. She had to enter the Hospital to have this removed. This was a most objectionable case. After the State took charge of these children the mother and father were still allowed to cohabit, with the result that three more children have been born. Without doubt, these children will also be supported by the State. The father is a sexual case, and foster-parents of the children have objected to the father visiting them on account of the way he handles them.

SECTION 4.—ELEMENTS OF THE PROBLEM.

Wallen, in his book "Problems of Subnormality," draws attention to three basic phases of the problem of the feeble-minded:—

"(1.) The obligation of society to identify and register as early as possible all feeble-minded children. All students of social problems will concede that feeble-mindedness is one of the fundamental causes of our numerous social ills. It is a prolific source of poverty, destitution, all kinds of crimes against property and person, social immorality, illegitimacy, and of prolific and degenerate progeny.

"There are few problems in present-day constructive social economics which are more important than the development of a State-wide and a nation-wide policy for the compulsory official identification and registration of feeble-minded children, particularly all those who come from homes where the conditions are not such as to guarantee continuous supervision and support.

"(2.) The proper educational care and training of feeble-minded children. The adequate discharge of this obligation involves segregating the feeble-minded in special classes as soon as they can be indubitably diagnosed and providing for them the type of training which will maximally develop those powers and aptitudes which they possess and which will maximally equip them for earning their livelihood.

"(3.) Provision for continuous oversight and supervision over the feeble-minded."

It is clear that if we wish to reduce the number of mentally defective and socially inadequate individuals we must not only consider measures for preventing as far as possible the transmission of hereditary defect, but must also provide for the youth of the country an environment and training calculated to encourage the development of its best powers. There is no doubt that unfavourable home conditions and unsuitable educational methods conspire to keep many children from realizing their full capabilities. This is especially true of the backward and feeble-minded. It is, moreover, wasteful and ineffective to force on children of poor mental receptivity and potentialities an educational curriculum devised for those of normal mentality, since the subnormal impede the general progress in an ordinary class, and in it they soon form a discouraged minority which learns to accept failure unquestioningly. Untrained to perform the simple work which is within their power and in the achievement of which they might earn self-respect and happiness, they feel themselves to be aliens, and may cease to regard the laws of society in which they have no sense of membership. In such cases the community which might have benefited from their work had their potentialities been properly developed is burdened by their maintenance, and, further, if they are not law-abiding, has also the expense of segregating them in reformatories and gaols. Hence it is clearly the duty of the State to adapt the educational curriculum to the requirements of various groups of children.

The child who has been handicapped by illness and lack of opportunity, the child who is inherently dull and backward, must be distinguished from the child with nervous instability or definite mental defect. Wherever possible, the training suitable for various improvable types of children should be arranged in connection with the ordinary public schools. But the curriculum must be modified to suit the need of the individual and should be directed with the object of making him a useful member of society. By this means these pupils are not deprived of that association with their normal fellows which is of such value as a preparation for their

after-life in the community.

For children whose homes are unsuitable or too remote from centres, who require more continuous supervision, or who tend to become delinquent, special residential schools will be necessary. These schools would also be used for those whose capabilities cannot be assessed without extended expert observation for a considerable period.

The special school is to be regarded as a training-centre for such feeble-minded children as are expected as a result of the training received there to be fitted to take a place in the community and to perform useful work under adequate supervision. There is a danger of filling the special schools with children whose poor mental endowment renders them incapable of receiving benefit at all commensurate with the energy and expense devoted to them. Such children are subjects for custodial institutions.

Institutional care is necessary for mentally defective persons whose helplessness or anti-social traits would render them either the victims of the unscrupulous or a menace to society. Such individuals should be segregated in farm and industrial colonies, so that not only is the community freed from the responsibility of their presence, but they themselves are afforded opportunity of leading much happier and more useful lives, and of becoming, to some extent, self-supporting.

All feeble-minded children within the community, whether in special classes, or on parole from an institution for the feeble-minded, or over school age, should be carefully supervised.

It is clear that the problem of making provision for the feeble-minded and mentally abnormal in the community is first to be encountered in the schools, though there must be considered also a much smaller number of such low mental capacity that they have never sought admission there.

In deciding the place of the feeble-minded in the community factors other than the degree of mental defect have to be considered. Many feeble-minded individuals are capable of performing useful work, and provided they have no anti-social traits and can receive adequate care outside their permanent inclusion in an institution is undesirable, not only from consideration of their own well-being, but also from a social and economic standpoint. Many feeble-minded individuals are so dependent upon routine that having once been trained in the regular performance of simple duties they find difficulty in breaking their methodical programme. In this way their lack of initiative is really protective, as it tends to keep them steadfastly at their labours.

In the case of all feeble-minded persons living outside institutions, whether with relatives or otherwise, the State should, in the interest of both such feeble-minded individuals and of society, have the ultimate right of supervision.

The magnitude of the task to be undertaken cannot be estimated unless we have some indication of how numerous are those for whom special measures must be adopted. The information given below must not be too literally interpreted, but will serve to throw some light upon existing conditions in New Zealand.

SECTION 5.—ESTIMATES AS TO NUMBERS OF MENTAL DEFECTIVES.

In the absence of a complete system of notification, which the Committee consider is urgently necessary, any estimate as to the number of feeble-minded to be dealt with must be largely a matter of conjecture.

From the annual report of the Education Department, however, interesting information is available showing the ages of the pupils in the several classes of the primary schools. The following table is considered worthy of reprinting in this report, for from the figures it supplies some idea may be formed of the number of backward and feeble-minded children attending primary schools. Children of extremely low-grade mentality do not attend school as a rule, while feeble-minded children higher in the scale, discouraged by the unsuitable course of instruction and lack of sympathetic treatment, tend to leave school early. Hence the number of feeble-minded children in any community must be considerably larger than the school records indicate.

The following table shows the ages of pupils in the several classes of the primary schools. The numbers between the heavy horizontal lines represent those that, beginning school under six years of age spend an average of two years in the preparatory classes and one year in each of the standards. The numbers above the upper heavy lines have progressed at a greater rate than that indicated, and those below the lower lines have either begun school later or have progressed more slowly.

The most arresting feature in the table (p. 13) is the large number of children in classes lower than should be expected at their age. Thus the preparatory classes had 12,693 pupils over the age of eight years. This number is certainly a considerable reduction on the total for the previous year, but it still represents no less than 18 per cent. of the total roll of those classes. Particular attention is being directed to the problem of retardation, and in some of the larger centres special classes for retardates have been established.

It will also be seen that the actual number of children retarded three years or more, including the preparatory classes and up to Standard III—beyond which the higher grades of the feeble-minded do not progress as a rule—is 4,917 out of a total of 212,709 children attending school, or a trifle over 2 per cent. In some countries three years' retardation is regarded as *primâ facie* evidence of mental deficiency. Probably New Zealand has much the same proportion of mental defectives as other countries. This is stated by Goddard to be between 2 and 3 per cent. of the population.

A recent survey made by the Education Department of the children attending the primary schools in a typical area disclosed the fact that out of a total school population of 16,499 no fewer than 950 pupils, constituting 5.7 per cent. of the total school enrolment, are retarded two years or more. Some of these may be classed as dull normal; some may be suffering from remediable physical defects; others may be merely the victims of unfavourable circumstances, while others again may be what Burt calls "late bloomers"—*i.e.*, cases of slow development. Many of them, however, will ultimately prove to be mental defectives. Deficiency sometimes does not reveal itself definitely until the pre-adolescent period or early adolescence.

Of the total number on the school registers 266, or 1.6 per cent., are retarded three years or more. It is interesting to note from information supplied by Mr. N. R. McKenzie, Inspector of Schools, that this is exactly the percentage of defectives discovered in the schools of a section of the city of Toronto as the result of a psychological survey. It also corresponds with the number in the Vancouver city schools, where nineteen special classes are operating with a school population of 19,000—*i.e.*, one class per 1,000 pupils.

For the purpose of this report a preliminary survey from information supplied by social workers, school-teachers, police, Hospital Boards, &c., has been made by the Education Department of what may be regarded as the obviously feeble-minded and epileptic cases known to exist outside institutions in the Dominion.

The following figures show the number of such cases reported, but these figures are incomplete—the actual number must be greater:—

At 24th June, 1924.					
Age.	Feeble-minded.		Epileptic.		
	Male.	Female.	Male.	Female.	
Under sixteen years	524	285	41	43	
Over sixteen years	305	203	35	31	
	829	488	76	74	
<i>Recapitulation.</i>					
	Males	905			
	Females	562			
		1,467			

Table showing Ages of Pupils in the several Classes of the Primary Schools.

Ages.	Class P.		Standard I.		Standard II.		Standard III.		Standard IV.		Standard V.		Standard VI.		Standard VII.		Totals.	
	Boys.	Girls.	Boys.	Girls.	Boys.	Girls.	Boys.	Girls.	Boys.	Girls.	Boys.	Girls.	Boys.	Girls.	Boys.	Girls.	Boys.	G
5 and under 6	7,923	7,334	..	..	..	..	..	..	..	..	..	..	..	..	..	..	7,923	7,
6 " 7	10,776	10,356	73	72	3	2	..	..	..	..	..	..	..	..	..	..	10,852	10,
7 " 8	10,324	9,291	2,021	2,047	111	141	3	1	..	..	..	..	..	..	..	..	12,459	11,
8 " 9	4,970	4,183	5,696	5,413	1,729	1,884	113	135	3	2	..	..	..	..	..	..	12,511	11,
9 " 10	1,400	1,118	4,443	3,732	5,011	5,152	1,447	1,531	102	66	..	4	1	..	..	..	12,404	11,
10 " 11	393	277	1,657	1,162	4,210	3,624	4,570	4,749	1,311	1,439	82	108	6	4	..	..	12,229	11,
11 " 12	112	107	487	383	1,814	1,461	4,202	3,827	4,166	4,214	1,123	1,202	93	95	..	1	11,997	11,
12 " 13	54	30	146	91	628	425	2,268	1,860	3,890	3,515	3,540	3,664	1,020	1,064	3	3	11,549	10,
13 " 14	18	13	51	24	201	125	935	669	2,129	1,764	3,766	3,271	3,255	3,277	20	42	10,375	9,
14 " 15	7	5	10	9	58	42	235	139	790	500	1,848	1,499	3,101	2,883	34	47	6,083	5,
15 " 16	2	1	2	6	12	6	36	26	148	81	532	349	1,454	1,010	23	37	2,209	1,
16 " 17	1	..	1	2	..	2	8	6	11	13	61	30	194	114	3	15	279	
Over 17	..	..	..	1	..	..	1	..	..	3	8	8	25	13	1	3	35	
Totals (1923)	35,980	32,715	14,587	12,942	13,777	12,864	13,818	12,943	12,550	11,597	10,960	10,135	9,149	8,460	84	148	110,905	101,

SECTION 6.—STUDY OF FEEBLE-MINDED AND DELINQUENT CHILDREN.

Methods employed in other Countries.

In many parts of America and in some European countries the problem of the mentally backward and feeble-minded child receives close attention. The juvenile delinquent is also carefully studied. For children who fail to make good in school, or who are guilty of frequent misdemeanours, a system of intelligence testing and psychological analysis is carried out. A study is also made of family history and environmental influences. Children who are "maladjusted to their environment" are kept under survey with a view to finding what is the difficulty and how it can be overcome. To quote from the "Mental Hygiene Bulletin," published by the National Committee for Mental Hygiene for the United States of America: "Children showing definite problems are selected for more intensive study and treatment. The grossly mentally handicapped child, who is likely to become a social problem if not properly dealt with in childhood; the psychopathic and mentally maladjusted child, who later in life may develop mental disease; the child manifesting conduct disorders which may be the beginning of a delinquent or criminal career; the retarded child; the epileptic; the child with speech-defect or with some physical disability; the child with gross personality difficulties; the exceptionally brilliant child—all present problems that demand attention during the child's school life. Such children are given a thorough physical examination, a careful psychiatric study, and an individual psychological examination, including a variety of psychological tests, not only to determine the child's intelligence rating, but, in so far as possible, his special abilities and disabilities. A social study is made of the child's home, school, and other environments to determine what factors may have unfavourably influenced the development of the child, and what forces may be utilized in securing the child's adjustments. The results of all these studies are given to the school authorities with recommendations relative to the needed adjustments."

In New Zealand there is need of increased facilities for the study of the individual child, and the services of psychological experts should be available in order to group children according to their mental equipment and special requirements. Only those fully qualified to estimate accurately all the evidence available are fitted to decide the destiny of children.

Herein lies the danger of relying exclusively upon the use of mental tests.

Mental tests are of definite value in enabling the observer to arrive at a conclusion regarding the general mental development of the subject, or to investigate some particular psychological function. A too exclusive dependence upon the result of the application of these tests, especially by a layman, would invariably lead to error. A comprehensive survey is necessary, taking into consideration such factors as family history, environment, physical condition, behaviour, temperament, &c. The observation, possibly for a considerable period of time, of an expert psychiatrist or psychologist may be necessary in order to arrive at an accurate estimate of the mental ability of the subject.

In this regard we quote from Tredgold, "Mental Deficiency": "There are, however, very many exceptions, particularly when we are dealing with the milder grades of deficiency, so that if serial tests are depended upon for the diagnosis of these cases they may be, and often are, very fallacious. I may say here that although it would, of course, be extremely valuable if we could devise tests which would accurately measure mental capacity, particularly that capacity and those qualities which are needed for social adaptation and maintenance, we have not yet succeeded in doing so. The mental factors which may be involved in this capacity for social adaptation, and which render the individual in need of care, supervision, or control, are many and varied, and there is even some danger that too much reliance upon serial tests may distract from the adequate investigation of these qualities and defects and lead to totally erroneous conclusions."

There is no doubt, however, that in the hands of competent observers properly applied tests afford information of great value in assessing mental and moral capacity, but the observer must be competent.

SECTION 7.—METHOD OF DEALING WITH MENTAL DEFECTIVES IN NEW ZEALAND.

Present Legal Provision for Notification and Education of Feeble-minded Children, and for Care of Custodial Feeble-minded Adults and Children.

The Education Act, 1914, contains provision (see section 127) for the establishment of special schools for the education and training of afflicted children (deaf, blind, feeble-minded, and epileptic) between the ages of six and twenty-one years, with provision in the case of inmates of special schools for extension of the period of detention where it is considered necessary in the public interest. For the purposes of this Act,—

"Feeble-minded child" means a child who, not being an idiot or imbecile or otherwise a proper person to be sent to an institution under the control of the Mental Hospitals Department, and not being merely backward, is by reason of mental or physical defect incapable of receiving proper benefit from instruction in an ordinary school, but is not incapable by reason of such defect of receiving benefit from instruction in a special school."

"Epileptic child" means an epileptic child who is unfit by reason of severe or frequent epilepsy to attend an ordinary school, but is not idiot or imbecile or otherwise a proper person to be sent to an institution under the control of the Mental Hospitals Department."

Section 127: "(2.) It shall be the duty of the parent of any ... feeble-minded or epileptic child to provide efficient and suitable education for such child."

"(3.) If the parent of such child fails to provide such education for such child, or is deemed by the Minister to be unable to provide such education, the Minister may direct that such child be sent to such special school or other institution for the education of feeble-minded or epileptic children as he thinks fit."

Section 129: "Every parent, teacher of a school (either public or private), constable, or officer of a charitable or kindred institution who is aware of the place of residence (either temporary or permanent) of a blind, deaf, feeble-minded, or epileptic child, and the householder in whose house any such child resides, shall send notification of the fact to the Minister, giving name, age, and address of the child; and if any such person neglects or fails to comply with this provision, such person shall on conviction thereof be liable to a fine not exceeding one pound, or in the case of a second or subsequent offence, whether relating to the same or another child, not exceeding five pounds."

Section 56: "Every public school shall be organized and conducted in accordance with regulations (a copy of which shall be conspicuously put up in the school): Provided that the Minister may, on the application of the Board, sanction the establishment of special classes for backward children—that is, children who, through physical infirmity, absence from school, or otherwise, are below the average standard of education reached by other children of the same age."

The Mental Defectives Act, 1911, divides mentally defective persons into six classes, as under:—

"'Mentally defective person' means a person who, owing to his mental condition requires oversight, care, or control for his own good or in the public interest, and who, according to the nature of his mental defect, and to the degree of care, oversight, or control deemed to be necessary, is included in one of the following classes:—

"*Class I:* Persons of unsound mind—that is, persons who, owing to disorder of the mind, are incapable of managing themselves or their affairs.

"*Class II:* Persons mentally infirm—that is, persons who, through mental infirmity arising from age or decay of their faculties, are incapable of managing themselves or their affairs.

"*Class III:* Idiots—that is, persons so deficient in mind from birth or from an early age that they are unable to guard themselves against common physical dangers, and therefore require oversight, care, or control required to be exercised in the case of young children.

"*Class IV:* Imbeciles—that is, persons who, though capable of guarding themselves against common physical dangers, are incapable, or if of school age will presumably, when older, be incapable, of earning their own living by reason of mental deficiency existing from birth or from an early age.

"*Class V:* Feeble-minded—that is, persons who may be capable of earning a living under favourable circumstances, but are incapable from mental deficiency existing from birth or from an early age of competing on equal terms with their normal fellows, or of managing themselves and their affairs with ordinary prudence.

"*Class VI:* Epileptics—that is, persons suffering from epilepsy."

This is similar to the classification in the English Mental Deficiency Act, which also includes the following definition:—

"'Moral imbeciles'—that is, persons who from an early age display permanent mental defect, coupled with strong criminal or vicious propensities, on which punishment has little or no deterrent effect."

In the opinion of the Committee it is very important that a similar definition should be included in any amendment of the New Zealand Act.

A Magistrate may order the committal to an institution of any person coming within these definitions if he is satisfied that such person is mentally defective and two medical men give a certificate to that effect. Persons coming under the description in Classes I, II, III, or IV are committed to the mental hospitals, but there seems to be considerable reluctance both on the part of medical practitioners to certify and of Magistrates to commit to a mental hospital epileptics and those described as "feeble-minded." Evidence was given before the Committee to the effect that there would not be the same disinclination to send these classes of patients to a special institution such as a farm colony or an industrial colony.

Apart from the residential special schools, special classes have been established in connection with public schools in each of the large centres of population throughout the Dominion with promising results.

The Committee visited the special classes in one of the centres, and were impressed with the sympathetic attitude of the teachers towards their scholars and the happy appearance of the children, who seemed to be keenly interested and busy over their appointed tasks.

There is as yet no special provision in New Zealand for the education of epileptic children. Fortunately, the number of these is apparently small, but, as in many cases it is undesirable for them to attend the ordinary classes of the elementary schools, the question of arranging for their tuition otherwise requires earnest consideration.

Following on legislative authority contained in the Education Act already referred to, provision for feeble-minded children, within the meaning of the Act, was made by establishing the special school at Otekaike, near Oamaru, with accommodation for 195 boys, and some years later a similar institution was opened at Richmond, near Nelson, with provision for about eighty girls.

These institutions contain two separate divisions, providing for—(1) The training of children of school age, and (2) the instruction of young persons over school age in handicraft and farm-work.

Both institutions have modern and well-equipped day schools with trained women teachers, and at Otekaike the industrial division is provided with workshops and instructors in trades and handicrafts.

The children are housed in modern and well-appointed cottage homes, each with accommodation for thirty-five, and are supervised by selected women attendants.

The Committee visited and inspected both Otekaike and Richmond, and were very favourably impressed with the healthy environment and careful management of these institutions, and with the humane and sympathetic methods adopted for the purpose of making the best of imperfect human material.

At both places physical exercises, musical drill, and organized games form an important part of the training, and the teachers deserve commendation for the efficiency of the pupils in these respects and their general appearance of physical fitness.

Moral training and training in habits of personal cleanliness and prompt obedience form an important part of the curriculum, and the effects are noticeable in the quick movements and alert attitude of the inmates. The girls at Richmond receive training in domestic work, needlework, knitting, darning, &c., according to their ability.

The children are taught various kinds of handiwork, and by grouping them according to mental capacity they are given a school course modified to suit the individual. In the industrial division at Otekaike, baskets, sea-grass furniture, and all kinds of wickerware and coir mats are well made, and are readily sold. Bootmaking and repairing for the institution are also carried out by certain of the inmates under a practical man. Attached to Otekaike there is an area of land where farming, gardening, and fruitgrowing absorb most of the labour of the older inmates.

At Richmond the area of land available for cultivation is limited, but even so it occurred to the Committee that something more might possibly be done in the direction of providing congenial and profitable work for the older girls, as, for instance, the growing of flowers for sale in the Wellington markets.

At Otekaike, after training, the best types of the older inmates are placed out, usually with farmers in the district, and for the most part are leading useful lives under the supervision of the local Juvenile Probation Officers of the Education Department.

The matter of placing out girls from the school at Richmond is obviously one of much greater difficulty.

At both Otekaike and Richmond there is a growing group of custodial cases, due to the fact that in many instances the parents or guardians are either unable to provide proper protective measures for the children if released, or are unsuitable in other ways to have the control of them. On the other hand, there is reluctance on the part of medical practitioners to certify such cases for a

mental hospital. It is very desirable, of course, that the special schools should be used as trying-out places for children whose mental equipment is questionable, but where after a reasonable trial it is evident that merely custodial care is required there should be some simple method of passing them on to farm colonies or suitable custodial homes.

As a matter of fact, the school at Richmond has its full complement of pupils, and as many cases have now to be refused admission it is urgently necessary that other provision should be made, especially for the older girls needing custodial care.

Mention should also be made of a visit paid by the Committee to the industrial school at Caversham, which deals with girls and young women who have failed to make good when placed out under supervision in the community. There is a small clothing-factory attached to the institution, which provides useful employment for certain of the better-type girls. It is stated that, even under present conditions, which are not altogether satisfactory, the majority of the Caversham girls benefit from the training they receive to such an extent that they can be trusted to earn their living in the community under supervision.

The Committee, however, are of opinion that the buildings and site are most unsuitable for such an institution. Little level space is available for recreation purposes, the property is overlooked at the back, and the location and general plan of the buildings are such that the utmost vigilance has to be exercised. For the inmates belonging to the reformatory section it is considered that such an institution should be situated in the country with sufficient suitable land to permit of gardening and farming on a small scale. This would afford healthful occupation for the inmates and contribute towards their support. Such an institution should be so situated as to be readily accessible from all parts of the Dominion.

In the matter of the admission of young offenders over sixteen years of age to the Caversham Industrial School, and also to the Boys' Training-farm at Werarua, the Committee found that in these cases the Courts have no authority to commit direct, but must first sentence the young person to imprisonment and then recommend transfer to an industrial school. Such a system is not only cumbersome, but is fundamentally wrong, and should be remedied as soon as possible. The Courts should have discretionary powers to commit any young offender under eighteen years of age direct to an industrial school.

At Caversham there is a small proportion of the inmates who should be transferred to a Borstal institution. This refers to the so-called "over-sexed" girl, and the girl with strong anti-social proclivities, who should be confined to an institution where there is provision for segregation and treatment of refractory cases. In many instances these young women should be kept under control for a considerable period. Many are hopelessly immoral, and in the interests of society should not be allowed their liberty.

That section of the Caversham institution comprising children committed to the care of the State on account of destitution or unsuitable conditions in their homes would be better provided for in a separate receiving home. This would be in accord with the practice obtaining in all the other centres.

The Education Department deals with all children committed to the care of the State for causes varying from destitution to delinquency. The procedure is for the police to charge the children and for the Magistrate to commit them to the nearest receiving home, where they are kept under observation, trained in proper habits, and so forth, and as soon as possible, if they exhibit no anti-social traits, placed out in selected foster-homes. The Department holds the view, shared by leading authorities, that home life, however humble, provided the foster-parents are suitable people, is better than institution life for the majority of the children who are cast on the State for sustenance and protection. The supervision of these cases, and the selection of employment for them when they become old enough, are carried out by the nurses, Managers of receiving homes, and Juvenile Probation Officers of the Education Department. Several of these officers gave valuable evidence in the course of this inquiry. These officials not only look after the welfare of the children brought under State control, but also carry out a great deal of preventive work in the way of advising parents and supervising children, who by their timely and kindly intervention are saved from coming within the scope of the law.

SECTION 8.—CHILDREN'S COURTS.

Several witnesses before the Committee pointed out the need for the establishment of special Courts for children and juveniles.

The Committee recommend that such provision be made, and also that clinics be established providing for the physical and psychological examination of all children coming under the jurisdiction of these Courts. The fuller knowledge thus acquired would be extremely valuable to the authorities dealing with the children.

Many countries have recognized this need and have established properly constituted Courts for dealing with children and juveniles as apart and distinct from Police Courts.

In this connection it is surprising to find that New Zealand is lagging behind in that in the laws relating to the punishment of crime hardly any distinction in procedure is made between the child and the adult. It is true, of course, that a practice has grown up whereby children are dealt with in the Police Courts at a time apart from the hearing of adult cases, but the procedure of the Criminal Court has been retained—*i.e.*, the young delinquent is charged with an offence, is required to plead, and if found guilty is liable to conviction. In the majority of such cases the charges are for minor offences and are dealt with summarily, but a child charged with an indictable offence and remanded to the Supreme Court for trial or sentence may in the interim be detained in prison.

By arrangement between the Departments concerned most of the cases of children and juveniles are investigated by the Juvenile Probation Officer of the Education Department prior to the hearing, but these officers have no legal standing in any Court, and are not even empowered to bring a destitute child before a Magistrate for committal to the care of the State. This function must be carried out by a police constable.

The Children's Court, as it is constituted in other countries, is a Court of equity, and its principal function is to consider all children brought before it as cases requiring protection and care. It is the business of the Court, by means of careful investigation in each case of conduct, school history, family history, and mental condition, to ascertain, if possible, the reason for misconduct, and either to eliminate or modify the causes, or to remove the child from the environment that has contributed to its present condition.

The presiding Magistrates are usually selected on account of their experience with children and knowledge of child psychology. In some of the Courts in America women are selected for these positions.

It is common knowledge that lack of mental balance, retardation, and physical defect are responsible for much juvenile delinquency, and it is therefore essential that if the children appearing before the Courts are to be dealt with in a scientific manner there should be provision on the lines recommended above.

SECTION 9.—POLICY FOR THE FUTURE.

It seems to the Committee that the Dominion has now come to the parting of the ways in this matter, and unless the multiplication of the feeble-minded is to be allowed to go on in an ever-increasing ratio, with consequences dreadful to contemplate, the problem must be dealt with on broader lines, and in a more comprehensive fashion.

In the first place, a comprehensive system of notification is essential so that a register as complete as possible may be made of the cases to be dealt with.

The English Commission for Inquiring into the Care and Control of the Feeble-minded, whose report appeared as far back as 1908, laid down the basic principles of a sound policy in dealing with this question. Their first principle was that persons who cannot take a part in the struggle for life owing to mental defect should be afforded by the State such protection as may be suited to their needs. Their next principle was that the mental condition of these persons, and neither their poverty nor their crime, is the real ground of their claim for help from the State. Their third principle was that if the mentally defective are to be properly considered and protected as such it is necessary to ascertain who they are and where they are.

This, of course, is the object of the system of registration to which we have referred.

Lastly, the English Commission held that the protection of the mentally defective person, whatever form it takes, should be continued as long as it is necessary for his good.

These principles appear to us to be quite sound, and we have no hesitation in adopting them.

Proposed Eugenic Board.

In regard to the method of compiling the register, some excellent suggestions were made by Dr. Theodore Grant Gray, Medical Superintendent of the Nelson Mental Hospital. He proposed, first, that a Government Department or sub-department should be created to deal with all feeble-minded and mentally defective persons living outside institutions. It would deal not only with the feeble-minded, but it would act the part of a Government "after-care association," in that it would keep in touch with all persons discharged from mental hospitals. One of its duties would be to keep a register of all feeble-minded, epileptic, and mentally defective persons living outside institutional care. Dr. Gray further suggests that the register should be compiled in the following manner:—

- (1.) It would be a statutory duty of all School Medical Officers to report to the Department the names of all feeble-minded or epileptic children in their districts.
- (2.) It would be the duty of the District Education Board to report any child of school age who was not attending school because of feeble-mindedness or epilepsy.
- (3.) It would be the duty of the Superintendent, owner, or licensee of every hospital, private hospital, industrial school, or reformatory prison to notify the Department upon the admission of any person suffering from feeble-mindedness or epilepsy.
- (4.) It would be the duty of the Superintendent of every mental hospital to notify the name of every person discharged from a mental hospital.
- (5.) It would be the duty of every Judge or Magistrate in all cases brought before him in which there appears to be mental enfeeblement or epilepsy to call to his assistance an alienist, and, if the report is confirmatory, to order such person's name to be placed upon the register.

N.B.—In the case of sections 1, 2, and 3 the Department would apply to a Magistrate for an order to register the person concerned. In section 4 the process would be automatic.

The Committee consider the machinery suggested for the purpose of compilation of the register very suitable, subject to such modifications as may be found necessary in practice, but have come to the conclusion that it would be preferable for many reasons to keep cases of this kind, as far as possible, free from Courts, a large part of whose work consists in trying persons charged with criminal offences, and to follow the plan which seems to be working very well in several American States—namely, to set up a Board of experts to deal with these cases.

The Board, which might be called the Eugenic Board, should be a central Board associated with a special Department or sub-department, of which the head should be a man of sufficient personality, energy, and organizing-power to grapple effectively with this question—first, by taking the necessary steps to compile a reasonably exhaustive register, and afterwards, by co-ordination with cognate Departments or by independent departmental action, to build up the necessary machinery to provide for the care, segregation, supervision, or treatment of the class with which his Department is required to deal.

The compilation of the register is a departmental matter, but legislative authority will be necessary, to provide for compulsory notification and to prescribe the means. A well qualified departmental officer should at once be detailed to take this matter in hand and formulate from the evidence given to the Committee and from other sources of information the method and means of obtaining complete registration.

The first step towards the formation of the Board should be the early selection and appointment of a thoroughly trained and experienced psychiatrist. Irrespective of the necessity for the employment of such a man as the scientific member of the proposed Board, the Committee are of opinion that the Departments of Health, Mental Hospitals, Prisons, and the Special Schools Branch of the Education Department are at present suffering from the lack of expert advice in this direction, and that it is high time the Government had in its service at least one trained psychological expert, with recourse to the services of other men with similar training in the four centres.

The Eugenic Board should be vested with power to examine all cases notified and, after due investigation, to place on the register

- (1.) Such persons as in its judgment come within the definition in the Mental Deficiency Act of feeble-minded;
- (2.) Persons afflicted with epilepsy associated with automatism or other conditions rendering them especially liable to dangerous, immoral, or otherwise anti-social manifestations, and in the case of juvenile epileptics the mere frequency of fits rendering them unsuitable for attendance at ordinary schools;
- (3.) Moral imbeciles as defined in the English Mental Deficiency Act; and
- (4.) Persons discharged from mental hospitals.

It should be the function of the Board to order or recommend to the Minister the segregation, supervision, or treatment of the different classes. Cases receiving adequate care in their homes would not, of course, be interfered with.

The Eugenic Board, of course, should have power to remove any name from the register if it is of opinion that there is no longer any need for registration. There should be the right of appeal to a Judge of the Supreme Court against the decision of the Board to place a person on the register, and there should also be power to apply to a Judge for the removal of the name from the register in cases where the Board declines to do so. These provisions should, it is considered, effectively safeguard the liberty of the subject.

The machinery necessary to deal adequately with this vital question—vital in its influence on the purity of our race—must be somewhat extensive, but use should be made as far as possible of existing governmental and private agencies and organizations.

The work requires organization, and the first essential is, therefore, the appointment of an organizing head. Unless such an appointment is soon made the matter will drift. The heads of the existing Departments of State under whom such an organization might be placed have already more business to handle than they can comfortably overtake. Some one must be selected to specialize on this work and this work alone.

The question naturally arises as to the Department of State to which the proposed sub-department for the care of the feeble-minded might best be attached. In the judgment of the Committee the education of feeble-minded children should be continued by the Education Department, which has evolved a very successful system and is administering it well. After everything possible has been done in the matter of education a large proportion, as they grow up, will be quite unable to hold their own in the world, and for their own protection and safety, and in the interests of society, must be cared for in some institution, where they may be kept usefully occupied in gardening or farming, or in some handicraft which will serve to keep them in health and help to recoup the State some part of the cost of their maintenance. It is, of course, most essential that they should not be allowed to reproduce their kind, thus further enfeebling and deteriorating the national stock, adding to the burden of the community and to the sum of human misery and degradation. "To produce but not to reproduce" sums up the best scheme of life for these unfortunates.

Looking at all the circumstances of the case, it appears to the Committee that it would be better if the compilation of the register, the provision of the farm and industrial colonies, and the after-care of adult feeble-minded patients coming under Classes V and VI and "moral imbeciles" were entrusted to a special branch of the Mental Hospitals Department. It is essential that the feeble-minded shall be kept separate from the insane, while the feeble-minded themselves, of course, require careful classification.

It is very important that marriages with registered persons should be made illegal, and, as a corollary to this, that it should be made an indictable offence for any person knowingly to have carnal knowledge of a registered person. It should also be provided that any parent or guardian who facilitates or negligently allows any registered person to have carnal intercourse with another person shall be guilty of an indictable offence.

A question which has given the Committee much anxious thought is as to whether sterilization should be adopted as a method of preventing the propagation of the feeble-minded. That it would be an effective method as regards the persons operated on goes without saying. The operation of vasectomy in the case of males is a very simple one, which may be performed with the aid of a local anæsthetic, and may be said for all practical purposes to be unattended by any risk to the patient. In the case of women a similar operation on the Fallopian tubes, which is known as salpingectomy, is an abdominal operation and cannot be said to be entirely free from danger, although it is not regarded as very serious. Except for the prevention of fertility, the operation does not interfere with the sexual powers of the patient and has little or no effect on sexual desires. It has been stated that a process of sterilization by means of X-rays can be applied to either sex. The only evidence available, however, shows that this method is still in the experimental stage, and the Committee, for this reason, cannot recommend it, especially as there is a danger that it might damage the cells producing the internal secretions which influence the secondary sexual characteristics and so injuriously affect the general health and mentality.

Several States in America have passed laws providing for the sterilization of persons in State institutions who are—(1) Insane, (2) feeble-minded, (3) criminalistic.

In some of the States an appeal was made to the Supreme Court, and, the law being pronounced unconstitutional, no attempt was made to enforce it. In other States the law has been allowed to become a dead-letter. Up to the 1st January, 1921, the latest date dealt with by the most recently published work on the subject, there have been 124 State institutions legally authorized to perform operations for sterilization, of which thirty-one have made more or less use of their authority, while ninety-three have not. The total number of operations performed up to the date mentioned was 3,233, divided into classes as follows: Feeble-minded, 403; insane, 2,700; criminalistic, 130. Of this total of 3,233 operations the State of California contributed no less than 2,538, and in this State a single institution (the State Hospital for the Insane at Patton) is responsible for no fewer than 1,009 cases. A Bill introduced in 1924 into the Senate to legalize sterilization of mental defectives, &c., was rejected.

Dr. H. H. Laughlin, of the Psychological Laboratory of the Municipal Court of Chicago, has devoted several years to the study of this question, and has recently published the result of his researches in a book entitled "Eugenical Sterilization in the United States." He publishes the texts of all the laws past and present, gives his idea of a model sterilization law, together with the necessary forms for putting it into effect. He also deals with the physiological and mental effects of sexual sterilization. A reviewer of his book, writing in the *Journal of Heredity* of October, 1923, states forcibly the case for the opponents of sterilization. He expresses the opinion that "The release of sterilized individuals with feeble inhibitions or anti-social tendencies is the equivalent to the creation of so-many new and virulent foci of venereal diseases and promiscuity."

Furthermore, the Central Association for Mental Welfare of Great Britain, which was formed in 1913 to act as a co-ordinating and representative body on all questions affecting mental defectives and their relations to the community, not long ago referred the question to their standing Medical Committee, who gave the considered opinion that "sterilization at the present time is not a practical proposition."

The Committee of the Central Association being in complete agreement with this view, the Association decided not to advocate the policy of sterilization, because they consider that it would have only a limited influence in preventing the increase of mental deficiency, that it would be attended with certain harmful results in other directions, and because its adoption is impracticable. The Association's statement on this subject goes on to say: "It is very important to remember that although propagation by defectives is one of the causes of mental deficiency, nevertheless this is by no means the only social menace attaching to their presence in the community. If left unguided and unprotected, their lack of stability and control may lead them to commit serious crime, such as theft, arson, assault, and even murder. Their inability to maintain economic independence results in vagrancy and destitution. Their helplessness in the face of obstacles frequently brings about their complete collapse at the first rebuff which they have to meet. The interest of the community can only be adequately protected by the segregation of a considerable proportion of these persons in suitable institutions. A sterilized defective would not be any less liable to these happenings than would one who was unsterilized. A defective woman, from the fact of her being sterilized and incapable of bearing children, would be more prone to illicit intercourse, to adopt a life of prostitution, and to spread venereal disease. It follows that segregation would still be needed in the case of a very large proportion of defectives, but, if they are segregated, sterilization is unnecessary. On the other hand, there can be very little doubt that any general adoption of sterilization would, in actual practice, lead to the non-segregation of a large number of defectives who should be under care and thus to an increase of the foul evils mentioned."

Having thus stated the arguments against sterilization the Committee must now present the other side of the question.

In the first place, it is evident that, as far as the United States is concerned, the extension of sterilization of the mentally defective has received a grave set-back by reason of the declaration of the Supreme Court of the United States that the laws in certain States permitting sterilization are unconstitutional. This ruling, of course, does not apply to New Zealand.

Further, opponents of sterilization ask to be shown its good results; but obviously the results cannot emerge in one generation or in a comparatively short space of time, but only in the ultimate lessening of the proportion of mental defectives in the community by diminishing the hereditary supply.

There is no doubt also that much confusion exists in the minds of the public as to the meaning of sterilization and desexualization or castration. The process of sterilization, as has been shown, involves only a simple and safe operation and has the sole effect of preventing reproduction. Sterilization, therefore, should not be loaded with the objections which apply to the far-reaching effects of castration. The former, unlike the latter, is not prone to produce harmful effects upon the mind or morals of the sterilized individual.

The assertion that "sterilization at the present time is not a practical proposition" is difficult to understand. It is certainly practicable, and is as likely to be favoured as opposed by public opinion, especially that section of the public that understands the difference between simple sterilization and desexualization. As regards the suggestion that sterilization may lead to new foci of venereal disease, it must be borne in mind that the unsterilized feeble-minded are already prone to sexual promiscuity, and there is no evidence that sterilization would increase this tendency. The opponents of sterilization offer as an alternative only permanent segregation to prevent the transmission of mental defect. It is evident, however, that the cost of the segregation of all mental defectives capable of reproducing other mental defectives would be exceedingly heavy. The Committee advocates powers of segregation and of sterilization, these powers to be placed in the hands of the Eugenic Board, under proper safeguards and the right of appeal.

Sterilization in suitable cases is not a high price to pay for liberty. There are in our mental hospitals to-day men and women who suffer from recurrent insanity, who are admitted to the mental hospitals from time to time and discharged when they are better, and in the intervals between their admission cohabit with their wives or husbands, as the case may be, and bring more defective children into the world. If discretionary power were given to the Board as suggested it should, and no doubt would, be exercised cautiously and tentatively.

Sterilization gives the patient liberty to do useful work in the community, is less drastic than segregation for life, and on the whole a much slighter interference with the rights of the individual, which are surely subordinate in such cases to the rights of the State.

There are, of course, numbers of mental defectives who can never be allowed their liberty, and in the case of these the question of sterilization need not be considered. There are many cases of mentally defective girls, liberated from institutions in New Zealand for the purpose of engaging in domestic service or other work, returning afterwards the mothers of illegitimate children, probably also mentally defective. Unless such are to be maintained for years as wards of the State in institutions, should they ever again be allowed their liberty unless they undergo the operation of sterilization?

This is the question: Can the propagation of mental defect by mental defectives and the debasing of the race thereby be greatly checked if not completely prevented? The answer is assuredly, Yes, by segregation and by sterilization.

The Committee recommends that both methods be placed in the hands of the Eugenic Board, with powers to discriminate as to which method is the more suitable for each individual case. The two methods are complementary, not antagonistic, and suitable safeguards for the liberty of the subject are provided.

The Committee recommends that the Eugenic Board should be given the power in suitable cases to make sterilization a condition of release from any of the institutions under the charge of the Department of Mental Hospitals or removal of their names from the register on probation, but that in no case should the operation be performed without the consent of parents or guardians of the persons concerned.

The Committee consider that the persons so operated upon and liberated should be released on probation and kept under

supervision for a reasonable period, and that they should be returned to institutional care if found to be leading an immoral life, or unable to support themselves, or for any other reason which the Eugenic Board may consider sufficient.

If the recommendation as to sterilization being authorized under the conditions specified is adopted, the Committee think it would be advisable to introduce some provision as in the American Acts, making it unlawful to perform operations whose object is the prevention of reproduction in cases not authorized by the Board unless the same shall be a medical necessity.

SECTION 11.—SEGREGATION.

It will be neither possible nor desirable to segregate all mental defectives. Feeble-minded children who are receiving adequate care and training in their own homes will, of course, be left there. When they reach the age of adolescence the question of their disposal should be considered by the Board. In many cases the inmates of special schools, after they have received some training, would do well if returned to their homes or boarded out in selected foster-homes under supervision.

The real difficulty arises, especially in the case of girls, when the age of adolescence is reached.

In the opinion of the Committee it is of the utmost importance that mental defectives should be prevented from reproducing. No person who has been placed on the register should be allowed to marry until the Eugenic Board has given its consent by removing the name from the register.

It is altogether wrong to suppose that there is any unkindness in taking the feeble-minded, who are unable to battle for themselves, under the care of the State and preventing them from bringing forth another generation of defectives. The real unkindness consists in allowing such unfortunates to be brought into the world.

In school, and still more in the after-struggle for existence, the feeble-minded find themselves the butts of their fellows, and the "inferiority complex" thus developed tends to make them sink lower in the scale both in intellect and morals.

"On the other hand, it is the general experience of those who have had many years' practical experience with defectives that the majority are far happier in suitable institutions engaged in congenial occupations, and having the companionship of their mental equals, than when they are exposed to the difficulties of an outside world to which they are incapable of adapting themselves. In many cases, indeed, such freedom amounts to the infliction of positive cruelty."

This statement is taken from the memorandum of the Central Association for Mental Welfare of Great Britain, to which reference has already been made, and this Committee can, from their own observation, endorse the views thus expressed.

It seems desirable, however, to point out the fallacy of a popular idea that the world could easily stamp out defectives and degenerate by merely adopting a vigorous policy of segregation and sterilization. Even if it were possible by these means to prevent all manifest mental defectives from reproducing, it cannot be expected that this class will be thereby eliminated from the population, since mental defectives may be the offspring of apparently normal stocks, or may be descended from stock in which only minor manifestations of impaired nervous vitality, such as instability, eccentricity, &c., have hitherto been evident, and in a large proportion of cases they are no doubt the progeny of persons belonging to the higher grade of distinctly degenerate stock—persons who have not themselves necessarily shown any marked traits of instability or degeneracy, and to whom therefore sterilization or segregation would be inapplicable.

SECTION 12.—THE QUESTION OF EXPENSE.

It will probably be objected that the plan for cutting off as far as possible further additions to the mental defectives of the Dominion will involve increased expenditure. This is, unfortunately, the case; but will it not be a much more costly process to allow the present unrestricted multiplication of these defectives to continue in an ever-increasing ratio? If they are allowed to multiply, their unfortunate offspring will have to be provided for in one way or another—some by means of charitable aid, some in our prisons, some in our mental hospitals. Take the case of the defective couple, case No. 4, [page 9](#), themselves in receipt of charitable aid, who have already produced eleven children, all of whom are being provided for by the State, while, as the couple are still living together and the woman is still of child-bearing age, it is quite possible that the total may yet be increased. This family, it is estimated, will cost the State at least £16,000. Will any one seriously contend that it would not have been sound economy if this couple had been taken in the first instance, placed in separate farm colonies where they would have lived fairly useful lives, and been prevented from casting such an excessive burden on the State? We might take each of the cases quoted in an earlier part of this report, and many others which we have not quoted, and ask the same question in regard to each. There is no doubt whatever that from the purely financial point of view it is very much to the interest of the community that this problem should be taken boldly in hand at once while the evil is within fairly manageable proportions, instead of allowing it to grow into an intolerable burden.

Consider the humanitarian aspect. Surely it is a kindly act to give the protective care of the State to those unfortunate persons who are unable to hold their own in the struggle for existence, and who, if left to their own devices, will fall miserably by the way and in many cases become a menace to society.

Lastly, there is the national question to be considered. Surely it is important that our stock should be kept as sound and virile as possible, and that where a process of deterioration has been detected every attempt should be made to stop it as soon as possible and by every means in our power.

SECTION 13.—IMMIGRATION.

The Committee feel very strongly that any attempt to check the multiplication of mental defectives in the Dominion will to a large extent be labour thrown away if the greatest care is not at the same time taken to prevent the introduction of feeble-minded and other undesirable persons from overseas. The distance of New Zealand from Europe and the cost of the long passage have on the whole had a selective influence on the character of the immigrants and tended to keep up the standard of quality. As already mentioned, however, serious mistakes were made in the "seventies" of last century. Very striking testimony to this effect is contained in the report of the late Dr. Macgregor, Inspector-General of Hospitals and Charitable Institutions, presented in 1888, an extract from which appears in the Appendix of this report. In the brief space of fifteen years the dire consequences of the mistakes made in previous immigration without due regard to its quality had already become apparent, and in the most impressive terms Dr. Macgregor, who was an exceedingly able and far-sighted public servant, pointed out that the evil done by the introduction of an undesirable class of immigrant is never finished.

"The impaired health, low morality, and insanity descend to the offspring, and are a continued drain upon this community."

The benefit of a well-regulated stream of immigration into this country is not open to question. A substantial addition to our population is now more than ever needed if this country is to progress and its resources are to be developed sufficiently to enable it to bear with ease the heavy burden imposed on the community by the Great War. The point which it is desired to emphasize is that constant vigilance is necessary to keep up the standard of quality of the new-comers in view of the very natural desire to send off to a new land those who are physically or mentally unable to maintain themselves in the land of their birth. Such vigilance, it need hardly be pointed out, is especially necessary at the present time when the volume of immigration is greatly increased owing to the condition of affairs in the Mother-country.

As a matter of fact, there seems no doubt that immediately after the conclusion of the war the system of control and medical inspection was not so strict as it should have been, especially in the case of the Imperial Government's overseas settlement scheme for ex-service men and women. The New Zealand Government, however, sent Home an officer from the Immigration Department to rectify matters and to provide for a more thorough examination of assisted immigrants.

Under the system at present in force a special roster of medical referees has been compiled, and no person is accepted as an assisted immigrant without a certificate of physical and mental fitness from one of these doctors. The medical examiner, in the instructions, is particularly requested "To satisfy himself that the applicant is in every way a fit subject to pass a thorough medical examination, as applicants are liable to rejection both at the port of embarkation and at the port of arrival." Finally, the doctor is required to sign the following statement: "Having read and made myself conversant with the instructions contained in Form KA supplied me, I certify that I have this day examined the above-named, and am of the opinion that _____ is in _____ health and

of sound constitution. is not suffering from any mental or bodily defect which in my opinion would unfit for earning own living as a ."

The form provides for a very complete examination, but as regards certain conditions, especially previous mental diseases, the examiner is necessarily dependent on the statements of the applicant.

The Committee were informed that New Zealand has now the reputation with the Imperial authorities of being the hardest and most exacting of all Dominions regarding the health and physical fitness of immigrants.

The Committee think that, in addition to the precautions already taken, inquiry should be made, as far as may be possible, into the family and personal history of assisted immigrants, particularly as to whether they disclose any cases of insanity, epilepsy or feeble-mindedness, crime, or dependence on charitable aid.

The Committee are further of opinion that the time has now arrived when closer supervision should be exercised over those persons who come as ordinary passengers with the intention of remaining in the Dominion.

The Immigration Restriction Act, 1908, provides that "When any passenger arriving on board any ship is either lunatic, idiotic, deaf, dumb, blind, or infirm, and is likely to become a charge upon the public," the owner, master, or charterer of the ship shall be required to enter into a bond in the sum of £100 for every such passenger, the person entering into the bond and his sureties being bound to pay to the Minister all expenses incurred within the space of five years for the maintenance of such passenger.

Under the Act the following are made "prohibited immigrants":—

"(b.) Any idiot or insane person."

"(c.) Any person suffering from a contagious disease which is loathsome or dangerous."

"(d.) Any person the date of whose arrival in New Zealand is earlier than two years after the termination of any offence which, if committed in New Zealand, would be punishable by death, or imprisonment for two years or upwards, not being a mere political offence, and no pardon having been granted."

By Order in Council tuberculosis is gazetted as a contagious disease which is dangerous within the meaning of the Act, and syphilis and leprosy are contagious and loathsome diseases within the meaning of the Act.

To any one who has seen a medical inspection of passengers arriving in an overseas vessel it is obvious that any degree of feeble-mindedness short of manifest imbecility or dementia would be liable to be admitted, and a good many cases of tuberculosis escape detection. Other countries are now alive to the importance of greater care being taken to guard against the admission of these who are likely to lower the mental and physical standard of the race, and in the opinion of the Committee stricter precautions should be taken in New Zealand. The smallness of this country makes it all the more important that it should be occupied and developed by a selected population, while its attractiveness as a field of settlement and the limited amount of land available place it in a position of independence in which it is able to insist on the maintenance of a high standard of fitness on the part of those desiring to share in its advantages.

SECTION 14.-SUMMARY OF FINDINGS AND RECOMMENDATIONS.

The Committee find—

- (1.) That the unchecked multiplication of the feeble-minded and epileptic is leading to a continually growing addition to the sum of human misery, an ever-increasing burden on the State, and the serious deterioration of the race.
- (2.) That it would be sound economy, as well as in the best interests of humanity, to deal with the problem at once, even though it involve a substantial expenditure.

The Committee therefore recommend:

- (1.) That to the definitions in the New Zealand Mental Defectives Act, 1911, there should be added a further definition—namely, that of "moral imbecile" contained in the English Act.
- (2.) That a special branch of the Mental Hospitals Department be established to deal with all classes of mental defectives who are not inmates of mental hospitals, and to act as an "after-care" Department to look after patients discharged from mental hospitals.
- (3.) That a Eugenic Board be appointed, to include a skilled psychiatrist, another member of the medical profession, and to be presided over by a Magistrate as Chairman.
- (4.) That the duty of the Department shall be to keep a complete register of persons coming under the following definitions in cases where the Eugenic Board has decided that the patients in their own interests or in the interests of society should be placed on the register:—
 - (a.) Mental defectives who are not inmates of mental hospitals who in the judgment of the Eugenic Board come within the definition of "feeble-minded" in section 2, Class V, of the Mental Defectives Act, 1911.
 - (b.) Persons afflicted with epilepsy associated with automatism or other conditions rendering them especially liable to dangerous, immoral, or otherwise anti-social manifestations, and in the case of juvenile epileptics the mere frequency of fits rendering them unsuitable for attendance at ordinary schools.
 - (c.) Moral imbeciles as defined in the English Mental Deficiency Act, 1913.
 - (d.) Persons discharged from mental hospitals.
- (5.) That the care of backward and feeble-minded children, so long as these remain in an educable stage, shall be the duty, as at present, of the Education Department.
- (6.) That the Education Department obtain the services of psychological experts with a view to creating a comprehensive system providing increased facilities for the study of the individual child in school, for the classification of children according to their mental capacities, and for the adaptation of the curriculum to the needs of special children. This may necessitate the establishment of an increased number of special classes, an extension of the residential special schools, and also provision for social readjustment of the children when required.
- (7.) That fuller provision be made in connection with our Universities and training colleges for the education of teachers in child psychology and its practical application, and for their training for service in special classes and special schools.
- (8.) That full use be made of residential special schools for those cases who fail to benefit by attendance at special classes, but who are considered capable of training in manual work or handicrafts. The lower grades of the feeble-minded who require merely custodial care should, as a general rule, be excluded from special schools, but where there is any doubt as to a child's degree of mentality or aptitude for manual training admission to a special school for a probationary period should be arranged.
- (9.) That the Education Department shall report to the Eugenic Board those inmates of special schools found incapable of receiving benefit from further residence in such schools, and the Eugenic Board shall be empowered to place on the register such as they consider should be so dealt with.
- (10.) In regard to those on the register, the Eugenic Board shall have the power to order the removal of feeble-minded persons and moral imbeciles to a farm or industrial colony to be provided for the care and training of such persons.

- (11.) That any person alleged to be feeble-minded, or the parents or guardians of such person, shall have the right of appeal to a Judge of the Supreme Court against the placing of his or her name upon the register, and the parents or guardians of any person on the register shall have the right to apply to a Judge of the Supreme Court for the removal of the name of such person from the register, or for his or her release from any institution established under the Act.
- (12.) The Committee recommend the establishment of farm or industrial colonies where feeble-minded or delinquent persons who are custodial cases may be usefully and, as far as possible, profitably employed, and where they may receive the care and protection required by their condition.
- (13.) In regard to sterilization, the Committee find that the operation of vasectomy in men can be carried out under local anæsthesia, and is free from risk. The analogous operation of salpingectomy in women is an abdominal operation, but the risk is not considered serious. These operations are effective in preventing procreation, but do not otherwise interfere with the sexual powers of the patient. In the case of persons suffering from recurrent insanity or idiopathic epilepsy, high-grade morons, and others who in the interests of themselves and of society ought not to be allowed to reproduce, but who do not for other reasons require custodial care, it is desirable that the operation of sterilization should be considered by the Eugenic Board.
- (14.) The Committee recommends that the Eugenic Board should be given the power in suitable cases to make sterilization a condition of release from any of the institutions under the charge of the Department of Mental Hospitals, or removal of their names from the register on probation, but that in no case should the operation be performed without the consent of parents or guardians of the persons concerned.
- (15.) The Committee consider that the persons so operated upon and liberated should be released on probation and kept under supervision for a reasonable period, and that they should be returned to institutional care if found to be leading an immoral life, or unable to support themselves, or for any other reason which the Eugenic Board may consider sufficient.
- (16.) The Committee consider that marriage with any registered person should be made illegal, and that it should be an indictable offence for any person to have carnal knowledge of any registered person. It should also be provided that any parent or guardian who facilitates or negligently allows any registered person to have carnal knowledge of another person shall be guilty of an indictable offence.
- (17.) In view of the fact that feeble-minded persons and others likely to become a burden on the community have in the past been introduced from overseas, the Committee recommend that, in addition to the precautions already taken in regard to assisted immigrants, inquiry should be made into the family history, especially as to whether it discloses any cases of insanity, epilepsy, or feeble-mindedness, and that applicants unable to produce satisfactory evidence on this point should be excluded. The Committee are further of the opinion that closer supervision should be exercised over persons who come as ordinary passengers with the intention of remaining in the Dominion.

PART III.—SEXUAL OFFENDERS.

SECTION 1.—SCOPE AND ORIGIN OF THE INQUIRY.

The second section of the order of reference requires the Committee "To inquire and report as to the necessity for the care and treatment of mental degenerates and persons charged with sexual offences, and to recommend forms of treatment for the various types of cases."

The Committee's finding and recommendation in regard to the "care and treatment of mental degenerates" who have not been charged with criminal offences are embodied in the first part of this report.

The origin of the inquiry, in so far as it concerns the care and treatment of mental degenerates and sexual offenders who appear before the Courts, is to be found in the resolution of the Prisons Board first appearing in their annual report for the year 1920 and repeated in their reports for 1921 and 1922.

The resolution is as follows:—

"Whereas an increasing number of sexual offences has been the subject of frequent and serious judicial comment, especially in cases where young children were the victims, or the very serious nature of the charge connoted a perversion dangerous to the moral well-being of society; and, as the experience of the Board in dealing with prisoners of this class accords, as far as it goes, with the now generally accepted opinion that, with certain exceptions, persons committing unnatural offences labour under physical disease or disability, or mental deficiency or disorder, or both, which accounts for the sexual perversion and the morbid character of the offence charged: It is resolved by the Prisons Board strongly to recommend to the Government an amendment of the Crimes Act under which such offenders could be dealt with scientifically—

"(1.) Before sentence is pronounced, by furnishing expert medical or surgical reports or evidence:

"(2.) By sanctioning an indeterminate sentence:

"(3.) By segregating persons so sentenced and subjecting them, under proper safeguards, to any medical or surgical treatment which may be deemed necessary or expedient either for their own good or in the public interest."

The repeated occurrence of gross offences of the character described by the Prisons Board, both before and since the Committee commenced its sittings, has focussed public attention more strongly upon the necessity for immediate action in regard to the more adequate treatment of this class of degenerate than upon the much larger and relatively more important class of mental defective covered by the first section of the order of reference.

The bulk of the evidence heard by the Committee and practically the whole of the information obtained from various sources bore more particularly upon the question of the care and prevention of the propagation of the mentally defective part of the population coming under the general designation of "feeble-minded." While, however, the evidence obtained regarding the prevalence of sex offences and the care and treatment of the offenders was not great in volume, it was eminently practical in character. Apart from this, the flagrant cases reported in the daily Press during the past few months in connection with the Supreme Court Sessions in the various centres offer sufficient proof of the necessity for some drastic amendment of the law on the lines suggested by the Prisons Board.

SECTION 2.—SERIOUSNESS OF THE EVIL.

That the order for an inquiry into this question was by no means premature was made apparent to the Committee by the presentation at its first sitting of a return furnished by the Prisons Department, which appears in the Appendix to this report, page 30, showing the number of sexual offenders of the various classes who were actually serving sentences on the 10th May, 1924. The total number of the sexual offenders in the prisons of the Dominion on that date was 185. This number represented 17.273 per cent. of all the prisoners then in custody. Unfortunately, this percentage has since been increased by recent commitments of cases of the most serious types.

A return compiled by the Government Statistician (Mr. Malcolm Fraser) shows that during the five years, 1919-1923, there were 331 persons sentenced in the Supreme Court for sexual offences as follows: Rape, 5; attempted rape, 19; indecent assault on a female, 150; indecent assault on a male, 50; unlawful carnal knowledge, 49; attempted unlawful carnal knowledge, 18; incest, 17; unnatural offence, 23: total, 331.

SECTION 3.—TYPES OF OFFENCES.

It is obvious that included under the heading of sexual offences are cases which vary so greatly in their gravity and in their very nature as to have little in common. There is a great gulf between the lad convicted of unlawful carnal knowledge with a girl who is under the legal age of consent, but who in some instances may even be the actual instigator of the offence, and the miscreant who tampers with little girls of tender years, or sets himself deliberately to corrupt boys. It was this class which the Prisons Board had in mind when it passed the resolution quoted, and no doubt it is the class which the Committee's order of reference is intended to cover.

This class of offence is held in so much detestation by normal persons possessing ordinary healthy natural instincts that they find it impossible to consider the question from a judicial and coldly scientific point of view. It is evident, however, that this must be done if we are to entertain any hope of finding and applying an effective remedy to this cancer in the social organism. The evidence given before the Committee leads them to the belief that the evil is much more prevalent than is generally supposed—that the cases which come before the Court constitute only a percentage of those which actually occur.

The ignorance of the general public in regard to these matters occasionally leads to an unjust attitude of mind towards some of the offenders brought before the Courts. Take the case of an old man charged with "exhibitionism." To the normal mind this seems a particularly disgusting proceeding, and the offender's age is regarded as an aggravation. The explanation is that the higher nerve-cells of the old man are degenerating, that he may be thus unable effectively to control his morbid sexual impulses, particularly if stimulated by an enlarged prostate. Such a person is a subject for pity rather than punishment; he must be restrained from annoying others by his offensive behaviour, but it is really a case for medical treatment.

Another class to be considered is the confirmed homosexualist. There are well-known examples of men eminent in the arts and literature given to this unnatural practice, and of the offenders who come before the Courts only a small proportion can be described as feeble-minded. The practice is not confined to the male sex, although for reasons which will be apparent it is only males who come before the Courts charged with this specific offence. Many parents are unaware that girls as well as boys may contract bad habits and fall into sexual abnormalities, but it is a fact which they ought to know in order that the danger may be guarded against.

Mr. Hawkins, Inspector of Prisons, whose experience extending over forty years in charge of prisoners in New Zealand makes his opinion of great weight, says there are two types of sexual offenders to be found in our prisons: First, there are those who yielded to sudden temptation, assaulted women or young female children, sometimes under circumstances exhibiting extreme brutality. In the majority of these cases, he says, the offenders are curable under a proper system of treatment, and it is seldom that they again offend. He goes on to say: "The real sexual pervert, however, who is continually tampering with young children is different, as is also the case when young boys are the victims. The worst pervert of all is the one who flagrantly offers himself for the purposes of sodomy. Strange as it may seem, there are quite a number of such degenerates in our prisons to-day; middle-aged and elderly men being the chief offenders of this class. In my opinion segregation for life is the only course, and my years of experience among such a class have convinced me of this, their case being absolutely hopeless when this stage has been reached, and no cure is possible in such cases."

This pessimistic view, unfortunately, is fully confirmed by the records of cases examined by the Committee. Long terms of imprisonment, though combined with the lash, have proved quite ineffective as a deterrent, even to the individual concerned. In some cases the offender within a short time after his release has been detected in the same practices and rearrested. Still less does such a punishment act as a deterrent to other addicts, if for no other reason than that each individual cherishes the conviction that he will not be found out.

Records of a number of illustrative cases are set out in the Appendix, [pages 31-33](#).

SECTION 4.—SUGGESTED REMEDIES.

As regards the infliction of corporal punishment which is often advocated, Dr. Murray, Medical Officer to the Mount Eden Prison at Auckland, who has had a good deal of experience with sexual offenders, said he had seen a good many flogged, and he did not think it had any effect as a deterrent. He added, "Nothing will deter men once they have taken on that line. I think you will find in some cases where a person has been addicted to those practices before marriage he will drift again into the same course after a certain number of years. It seems a perversion they have no control over, and after a certain number of years it masters them."

The general opinion of those who have been in touch with this problem for many years is well expressed in the following extract from a very valuable report furnished to the Committee by Dr. F.S. Hay, Inspector-General of Mental Hospitals, on the different questions coming within the scope of the inquiry:—

"As a member of the Prisons Board I have had the matter of the sexual offender brought under my notice and have come to some very definite conclusions.

"I think that he should be brought to trial in the ordinary way, with perhaps suppression of publication of names of the offender and victim. If found guilty, he should be given an indeterminate sentence, and be removed to a farm reformatory prison, where he would be brought under skilled medical and lay observation, and his case studied in respect to—*Mentality*, when if afterwards it is decided that he is mentally defective or deficient in terms of the Act he can be transferred to the proper institution; *physical condition*, when if there is any disorder it can be remedied. If the disorder is causative (*e.g.*, prostatic in the elderly) and surgical or medical interference is necessary, it will be carried out and its results carefully watched and reported on.

"At present the sentences vary from, say, a year to ten years or more, the seriousness of the case being one determining factor; but often similar cases have years of difference in their sentences, and at the end of the sentence they once more enter the world, and a fair proportion repeat the offence. The people in the reformatory prisons can, with experience of a case lasting over some years, foretell the failure fairly accurately.

"The degree of sexual perversion being measured by the amount of interference with children, which accounts for the measure of the sentence, means no essential difference in the intent or in the likelihood of repetition, and therefore scientifically the sentences should be equal. I suggest that they should be made equal by being made indeterminate.

"Those of whom the Medical Officer cannot report favourably would continue on. They could be given a right of revision. Those of whom he can report very favourably could be released on probation, and so on. The essential feature is that no hurried diagnosis is made before trial, but diagnosis and prognosis are arrived at after months and maybe years of close observation and by a staff gaining experience daily."

Sterilization and Desexualization.

The increase of sexual offences during recent years and the disgust felt by all normally disposed people when contemplating cases of sexual perversion and assault upon young children have created a strong public opinion in favour of dealing with these offences as radically as circumstances will permit.

Demands are constantly made that the offenders should undergo "a surgical operation," which is intended to imply either castration or simple sterilization.

The British Medical Association, at their annual Conference held in Auckland in April, 1924, resolved that the following motion be adopted by the Council: "That this Conference can make no recommendation for surgical desexualization in the treatment of the adult sex pervert. The only safeguard for young children in this matter is the permanent segregation of the offender, either in prisons or in farm colonies. The Conference emphasizes the importance of the sterilization of the chronic mentally or morally unfit that a future generation may benefit thereby."

The Committee therefore considers it necessary to set out as clearly as may be possible the result of such operations and its deductions from the evidence taken and authorities consulted as to the probability of the achievement of the result desired.

To consider in the first place the operation of simple sterilization (vasectomy or salpingectomy). It is quite clear that this operation, when properly carried out, prevents procreation by the individual operated upon. Although the knowledge of the loss of this power

may modify the views of life held by the individual the operation *per se* does not affect his physical or mental health. This would be anticipated, as the production of the internal secretion of the sexual glands in either sex (ovaries or testes) continues.

Sexual desire and capacity for coitus are not usually appreciably impaired by this operation, and it clearly could not be expected to restrain the sexual offender from the pursuit of his perverted modes of gratification. As, however, it appears that in a proportion of cases of sexual perversion the tendency is an hereditary one, these operations would, as in the case of the feeble-minded, tend to restrict the number of individuals in the community afflicted in this manner. The Committee would therefore recommend that simple sterilization be considered by the Eugenic Board in relation to sexual perverts.

Castration (Desexualization).

The operation of desexualization implies the removal of the sexual glands (ovaries or testes), and involves other considerations than the operation of simple sterilization.

The loss of the internal secretion of these glands may produce physical and mental changes in the individual. These effects vary greatly in degree according to the age at which the operation is performed.

The earlier it is done the more decided the result. If performed *before puberty* the secondary sexual characteristics fail to develop. The voice does not change in the male; the development of hair is more sparse; the general physical development is less masculine; and mentally the individual is less aggressive. Most pertinent of all as bearing upon the question under review, sexual desire and capacity do not develop, either at all, or at any rate, not to the same degree as in a normal individual. This result, however, is not constant, and depends principally upon the age at which the operation is performed.

After puberty the operation is very much less effective. The secondary sexual characteristics have been already established and persist. It occasionally occurs that certain mental effects are produced. In women these resemble, generally speaking, those occurring at the climacteric. In both sexes, however, mental disturbances may occasionally arise.

The immediate effect upon sexual desire and capacity is slight. It would appear, however, from the small amount of evidence available on this point that the tendency is to a gradual diminution of sexual desire, possibly even to disappearance after some years.

As it is generally after puberty that sexual perversion becomes manifest, it is clear that much cannot be expected from this operation.

The problematic result and the extent of the mutilation restrain the Committee from any suggestion that such an operation should be made compulsory.

The Committee feel that the information at present available in regard to sterilization or desexualization of sexual offenders is quite inadequate to permit of a sound and final judgment as to the value of the procedure. They recommend, therefore, that the whole question be remitted for careful investigation to the Eugenic Board which it is proposed should be set up.

SECTION 5.—SCIENTIFIC TREATMENT AND SEGREGATION WITH INDETERMINATE SENTENCE.

After very careful consideration the Committee have come to the conclusion that it is most desirable, in continuation of the system of prison reform which has been inaugurated with so much success in this country, that every person charged with a serious sexual offence should be carefully examined by a medical man and skilled psychiatrist before his trial, and evidence given to the Court of any physical or mental defect having a bearing on the case.

In the judgment of the Committee, the best way of dealing with persons guilty of sexual crimes is by means of the indeterminate sentence. Each case should be examined by a psychiatrist as well as by the Prison Medical Officer, and the length of the period of detention should be determined by the Prisons Board after looking into the nature of the offence and considering the report of the psychologist and evidence as to the conduct of the prisoner while under detention. In cases of the worst type the indeterminate sentence would doubtless resolve itself into detention for life.

At all costs the women and children of the community must be protected against this class of offender. The evidence of Mr. Hawkins as to this class is emphatic and very much to the point:—

"Personally I have never yet seen a complete cure in the case of a real sexual pervert. Years of imprisonment, to my own personal knowledge, have failed to do any good whatever. Treat them kindly, give them useful work, and make their lives as pleasant as possible, but never let them loose on society again. Even if this were done, the trouble with such individuals is by no means ended, as if it is intended to prevent them following their beastly tendencies constant unremitting supervision will be necessary. The average citizen has not the slightest conception of the utter depths of depravity to which a confirmed male sexual pervert will descend. Instances of such depravity have occurred to my knowledge. Many of the men referred to are not fit to live, but it must be remembered that in many instances the evil tendencies have been inherited, while in others environment has played a prominent part."

The information placed before the Committee, which is summarized in the foregoing paragraphs, leads to the conclusion that the requirements of the position are fairly well covered by the terms of the Prisons Board's resolution.

SECTION 6.—SUMMARY OF RECOMMENDATIONS.

The Committee recommend,—

- (1.) That the Crimes Act be amended to provide for the passing of an indeterminate sentence upon persons convicted of sexual offences. The Courts to be given full discretion as to whether the sentence shall be definite or indeterminate.
- (2.) That the Prisons Board be vested with the same power of recommendation for the release on probation or final discharge of prisoners under an indeterminate sentence as they have now in regard to all other prisoners.
- (3.) That a psychiatrist be appointed to advise the Prisons Department as to the classification and treatment, and that he be available to the Courts for the examination, before sentence, of sexual offenders, or of offenders who are thought to be irresponsible on account of mental defect.
- (4.) That the Prisons Board be advised by the Eugenic Board in regard to the release on probation or final discharge of all sexual offenders or feeble-minded offenders coming under its jurisdiction.
- (5.) The Committee feel that the information at present available in regard to sterilization or desexualization of sexual offenders is quite inadequate to permit of a sound and final judgment as to the value of the procedure. They recommend, therefore, that the whole question be remitted for careful investigation to the Eugenic Board which it is proposed should be set up.

CONCLUDING REMARKS.

It goes without saying that the work of the Committee in pursuing their investigations has been of a very painful and depressing character. We need not refer to the depth of human degradation and the revolting pathological details which had to be explored in dealing with the second order of reference, beyond saying that the witnesses who faced the unpleasant task of giving evidence deserve the thanks of the public for discharging what they evidently felt to be a public duty. In the inquiry into the problem of the feeble-minded the most saddening experience of the Committee was the sight of so many children deprived of their full share of the light of reason, often maimed and stunted in body as well as in intellect. The sight was made sadder still by the reflection that unless prompt and effective action is taken the multiplication of these degenerates will increase and the race will steadily deteriorate.

Professor William MacDougall, the noted psychologist of Harvard University, speaking at Toronto recently in reference to the disregard of eugenic methods in America in maintaining and improving the national stock, said: "As I watch the American people speeding daily with invincible optimism down the path that leads to destruction I seem to be watching one of the greatest tragedies of history."

New Zealand is a young country already exhibiting some of the weaknesses of much older nations, but it is now at the stage where, if its people are wise, they may escape the worst evils of the Old World. It has rightly been decided that this should be not only a "white man's country," but as completely British as possible. We ought to make every effort to keep the stock sturdy and strong, as well as racially pure. The pioneers were for the most part an ideal stock for a new offshoot of the Mother-country. The Great War revealed that from their loins have sprung some of the finest men the world has ever seen, not only in physical strength, but in character and spirit. It also revealed that an inferior strain had crept in and that New Zealand was already getting its share of weaklings. Surely our aim should be to prevent, as far as possible, the multiplication of the latter type, and to increase the elements of the mental, moral, and physical strength of the nation. In these beautiful and richly dowered islands we have a noble heritage—to be in keeping and to ensure the full development of their resources and enjoyment of their blessings the inhabitants should be of the highest type obtainable by human effort.

This is the lesson which has been impressed upon the minds of the Committee during their investigations, and they have been sustained in their saddening experience by the hope that this lesson will be taken to heart by both the Parliament and the people of the Dominion.

W. H. TRIGGS, Chairman.

D. MCGAVIN.

F. TRUBY KING.

J. S. ELLIOTT.

ADA G. PATERSON.

CHAS. E. MATTHEWS.

J. BECK.

J. W. BUCHANAN, Secretary.

APPENDIX.

PAST MISTAKES IN IMMIGRATION.

EXTRACT FROM REPORT ON HOSPITALS AND CHARITABLE INSTITUTIONS OF THE COLONY, 1888, BY THE LATE DR. MACGREGOR, INSPECTOR-GENERAL.

Many causes have conspired in our history as a colony to intensify the good-nature of our people—at any rate, so far as extravagance in vicarious charity is concerned. Our sensitiveness to suffering has been greatly stimulated by the comparative absence from our towns of those sights of misery and squalor that deaden the feelings by familiarity; and the lavish life we have led since 1870 has made us free-handed to the poor and impatient of the trouble required to find out whether our charity was wisely or mischievously given.

During our years of plenty, when borrowed money was being largely spent, and the prices of wool, &c., were high, I was in charge of the Dunedin Asylum, and remember with what forebodings I regarded the quality of the immigrants that were being poured into the country after the despatch of instructions in October, 1873, to the Agent-General "To grant free passages, and also, if necessary, advance expenses to port of embarkation and outfit."

Twenty thousand immigrants were, if possible, to be sent out in six months. With wonderful rapidity the results became apparent. From all parts came reports of the evil quality of the immigrants. The Immigration Minister, writing to the Agent-General in June, 1874, says: "I have already called your attention to the fact that the shipment by the ... included a number of girls out of the Cork Workhouse, and I took the opportunity of remarking on the very undesirable character of such immigration. A perusal of the report of the Immigration Officer at Dunedin will, I think, convince you how very disastrous it is likely to prove to the cause of immigration if such modes of selection as those adopted by Mrs. — (who was paid per emigrant) are under any circumstances permitted. The result in the colony of the landing and distribution of such women as these complained of, and of such immigrants as the "young men" whom Mr. Allen states he has ascertained to be professed thieves, and one of them a ticket-of-leave man, is naturally a feeling of indignation and dismay.

No doubt this was an extreme case, but, nevertheless, it is plain that, what with the great influx of a low class of navvies during the height of our public works, and the vicious and degenerate people, of whom so many were introduced at this time, the average of our population in point of quality was considerably deteriorated. My experience as Medical Officer of our largest asylum for so many years has convinced me that the ultimate cost of this degraded class of people to this country is enormous. For instance, here is an account of two families and their asylum history:—

Number.	Name	Cost per Head.		Total Cost				
		Rate £1 per Week.						
		£	s.	d.	£	s.	d.	
<i>Family of B.</i>								
I	A.B. (brothers)	80	2	0				
II	C.B.	274	4	0				
III	D.B.	230	2	0				
IV	E.B.	8	2	0				
V	F.B.	8	2	0	600	12	0	
			£	s.	d.	£	s.	d.
<i>Family of C.</i>								
I	A.C., wife	472	2	0				
II	B.C., husband of A.C.	418	0	0				
III	D.C., daughter of A.C. and B.C.	834	2	0				
IV	E.C. "	1,318	2	0				
V	F.C., illegitimate daughter of E.C.	169	8	0				
VI	G.C., husband of F.C., but no blood relation.	5	2	0	3,216	16	0	
					£3,817	8	0	

Such people and their offspring are at this moment a fruitful source of those idle and useless persons who bring discredit on the cause of that portion of our people who cannot find employment. They fill our gaols, our hospitals, and our asylums, and, like a swarm of low parasitical organisms, they have, to an extent that is almost incredible, absorbed the outdoor relief that was meant for the self-supporting and struggling poor. I am sure that by far the largest proportion of the aid that has been so abundantly distributed by the various charitable agencies, especially in our large towns, has been spent in supporting a great many idle and vicious persons whose example has had the most pernicious effect in pauperizing the people. It should never be forgotten that the evil caused by the introduction of this class is never finished. The impaired health, low morality, and insanity descend to the offspring, and are a continual drain upon the community.

THE HEALTH OF SCHOOL-CHILDREN.

EXTRACT FROM THE REPORT OF THE DIRECTOR OF THE DIVISION OF SCHOOL HYGIENE, 1924.

The fundamental necessities of healthy growth are simple, and it is doubtful if there is any country in the world to-day where they are more universally procurable. Fresh air, sunlight, food of the right type and amount, adequate sleep and rest, wholesome exercise, are available for all but that small section of the people already mentioned. Sir Frederick Mott, in an address recently published in the *British Medical Journal*, quotes Voltaire: "Regime in diet is better than medicine. Eat moderately what you know by experience you can digest, for that which you can digest only is good for the body. What is the medicine that makes you digest? Exercise. What will repair your energy? Sleep."

To this text he adds the benefits of sunlight and pure air.

Reports from School Medical Officers continue to record that tea, white bread, and meat play the chief part in the dietary of many homes. Fresh fruit and vegetables, even in rural areas, are not eaten sufficiently.

Frequent eating between meals takes away appetite and retards digestion. Many children bring to school substantial "play-lunches" to be consumed at the mid-morning interval. Others consume large quantities of sweets. Healthy hunger they rarely know. A noteworthy fact is that in New Zealand the consumption of sugar per head per annum is 117 lb., as against rather more than half that quantity in Britain and much less in other countries. Apart from its directly deleterious influence on the teeth, the alteration of food values in the dietary necessitated by the inclusion of so much sugar results in digestive troubles and disturbed nutrition. In this country, with its many sources of supply, eggs, milk, cheese, butter, fresh fruit, and vegetables should be available in sufficient abundance and at low-enough prices to displace to a greater extent the meat that is such a prominent article of diet in many households.

The value of rest, both physical and mental, for children is not adequately recognized. In the country many children work early and late at farm-work, as milking, &c., and in the city children earn money as newsboys, message-boys, &c. Where the family exchequer needs to be augmented in this way excuse must be made, but in many comfortable homes children do not rest sufficiently. Mr. Cyril Burt, psychologist for the London City Council, was recently reported as deploring the tendency in modern education to attach undue value to the dramatic and theatrical. Children who possess talent are made to drag it prematurely into the light of publicity. They are over-trained and over-stimulated. Nearly all children are taught to regard frequent amusement as essential to happiness. To leave them to develop their own resources and allow them to find interest in simple and natural things would be to extend widely their chance of future happiness.

It is the wrongly fed, insufficiently rested child that most readily develops physical deformity. The fatigued nervous system is expressed in general bodily slackness. There is deficient muscular and ligamentous tone. The typical faulty posture is thus acquired, with drooping head, flat chest, wing shoulders, prominent abdomen. Vitality is depressed and the bodily mechanism out of gear. The grosser bony deformities so often found in older lands associated with rickets are rarely seen in New Zealand, but less evident manifestations of faulty diet and regime are frequent. It is fortunate that in this country we cannot altogether escape, however we seek our pleasures in stuffy rooms or dark, ill-ventilated places of entertainment, those powerful and beneficial agents for promoting healthy growth—sunlight and fresh air. For the prevention of defect it is essential that the classroom should offer hygienic conditions—*e.g.*, good lighting and ventilation, suitable furniture, &c. Another contributory factor in poor physical development is the use of incorrect clothing and footwear. It is a common thing to find from six to eight layers of tight garments constricting the chest even in a child whose legs are scantily protected from cold. Shoes which are too tight or too short, or which have heels so high as to prevent correct body-balance, are very harmful. Clothing should offer adequate protection, but should not prevent the most absolute freedom of movement.

SEXUAL OFFENDERS IN NEW ZEALAND.

The Prisons Department has furnished the following return of sexual offenders serving sentences in New Zealand prisons in 1924: The total number of sexual offenders, 192; the total number of sexual offenders born in New Zealand, 126; the total number of sexual offenders born out of New Zealand, 66; the total number of persons in the prisons serving sentences exceeding three months, 980; the total number of New-Zealand-born prisoners, 673; proportion of sexual offenders—New-Zealand-born to total number of New-Zealand-born criminals, 18.722; total number of prisoners born outside New Zealand, 307; proportion of sexual offenders born outside New Zealand to prisoners born outside New Zealand, 21.498.

TABLE SHOWING THE NUMBER OF SEXUAL OFFENDERS SENTENCED UNDER THE RESPECTIVE HEADINGS IN NEW ZEALAND PRISONS AS ON 31ST AUGUST, 1924.

Carnal Knowledge and Attempted Carnal Knowledge.	Indecent Assault.	Indecent Act.	Indecent Exposure.	Incest and Attempted Incest.	Sodomy and Attempted Sodomy.	Rape and Attempted Rape.	Manslaughter.	TOTAL
30	106	3	9	18	23	19	1 ^[A]	209 ^[B]

[A] Victim an old lady, aged 71, who died as the result of a struggle, in which prisoner committed rape upon her.

[B] Number includes 17 prisoners who appear under more than one of the above headings, therefore the actual number of individual offenders total 192.

Number of sentenced prisoners (exceeding three months) in custody on the 31st August, 1924, was 980, therefore sexual offenders (192 individuals) represent 19.592 per cent. of the sentenced prison population serving periods exceeding three months.

CARNAL KNOWLEDGE AND ATTEMPTED CARNAL KNOWLEDGE.

Age of Offender.	Age of victim.	Age of Offender.	Age of victim.	Age of Offender.	Age of victim.
28	13	43	Several young children	34	14
18	7	22	15	23	15
18	7	52	14	30	9
34	15 ⁵ / ₆	23	14	35	15
72	13 ¹ / ₂	25	9	27	12
21	8	44	6	28	9
29	15 ⁷ / ₁₀	37	15	37	14
29	13	29	15	35	3
40	14 ¹ / ₂	44	13	17	12
27	8	31	15	43	15

SOME ILLUSTRATIVE HISTORIES.

CASE No. 1.

Number of Successive Convictions.	Age of Offender when offence committed.	Offence.	Sentence.	Sentenced (Date).	Released (Date).	Period at Large before arrest on Further Charge.
A. 1	19	Indecent assault on a male	4 years' hard labour	21/12/06	21/12/09	2½ months.
2	23	Idle and disorderly	12 months' hard labour	4/ 3/10	29/12/10	2 years 2 months
3	26	Indecent assault on a male	10 years' hard labour and 10 years' reformatory detention	17/ 3/13	16/12/21	2½ years
4	37	Indecent assault on males (three charges)	10 years' hard labour	25/ 6/24	Still in prison.	

NOTE.—Offender was born at Auckland and is the third eldest of a family of eight. He was evidently dull at school, as he passed the Third Standard only at the age of 13. At the age of 16 he was charged with the offence of vagrancy, convicted and discharged. The victims in all his offences were children varying in age from 6 to 13 years.

CASE No. 2.

Number of Successive Convictions.	Age of Offender when offence committed.	Offence.	Sentence.	Sentenced (Date).	Released (Date).	Period at Large before arrest on Further Charge.
B. 1	23	Theft (four charges)	1 month	29/10/00	28/10/00	1 year.
2	24	Rogue and vagabond; vagrancy	3 months' hard labour	5/11/01	4/ 2/02	1 year 9 months
3	37	Rape	Hard labour for life	1/ 2/04	3/12/23	

NOTE.—Offender is a native of New Zealand. The most serious of his offences (No. 3) was committed on a girl 8½ years of age. After serving six years of his term of life imprisonment the prisoner showed signs of being mentally unsound, and in March, 1910, he was transferred to a mental hospital. He remained a patient in a mental hospital until March, 1915, when he escaped. It was afterwards ascertained that he was aware of the fact that he was about to be returned to prison as being no longer an insane person—hence his escape. After his escape he married, and subsequently served two years with the Expeditionary Force. He was returned to New Zealand as medically unfit and was arrested at Auckland and returned to prison in August, 1917. Two members of his family—a sister and a brother—have been convicted of theft and "conducting a house of ill fame."

This man was released on probation, on the certificate of an expert in mental diseases, after serving the full life term of twenty years, but soon after release gave clear indications of return to former criminal perversions, and his rearrest was ordered.

CASE No. 3.

Number of Successive Convictions.	Age of Offender when offence committed.	Offence.	Sentence.	Sentenced (Date).	Released (Date).	Period at Large before arrest on Further Charge.
C. 1	25	Obscene exposure	3 months' hard labour	19/ 6/06	18/ 9/06	8 months.
2	26	"	6 months' hard labour	15/ 5/07	22/10/07	1 day.
3	26	"	12 months' hard labour	23/10/07	15/ 8/08	3 months.
4	27	Wilful damage	14 days' hard labour	6/11/08	28/ 8/09	10 months
5	27	Obscene exposure	12 months' hard labour			
6	30	Assault	2 months' hard labour	13/ 6/10	5/ 9/10	4 months.
7	31	Obscene exposure	3 months' hard labour	6/ 1/11	5/ 4/11	6 days.
8	31	Rogue and vagabond	1 month's hard labour	11/ 4/11	10/ 5/11	1 day.
9	31	"	12 months' hard labour	11/ 5/11	2/ 3/12	1 month.
10	32	Obscene language	2 months' hard labour	2/ 4/12	1/ 6/12	8 months
11	33	Indecent assault on a female	6 years' hard labour and 4 years' reformatory detention	5/ 2/13	23/ 9/19	2 years 1 month
12	40	Indecent assault on males (three charges)	7 years' hard labour	31/10/21	Still in prison.	

NOTE.—C. is a single man, aged 40 years, and a native of New Zealand. He is a cabinetmaker by trade and said to be an excellent tradesman. He appears to have been in trouble since he was 25 years of age, and has constantly been in prison, the majority of his offences being of a sexual nature. He is described as a highly dangerous criminal and a menace to society.

CASE No. 4.

Number of	Age of Offender	Period at Large
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Successive Convictions.	when offence committed.	Offence.	Sentence.	Sentenced (Date).	Released (Date).	before arrest on Further Charge.
D. 1	15	Theft	6 months' probation	30/ 7/01	---	
2	26	Carnal Knowledge	20 years' hard labour	1/ 2/12	20/ 2/22	2 years 6 months.
3	38	(1.) Indecent assault on a male (2.) Indecent assault on a male	(1.) 2 years' reformatory detention; declared habitual criminal (2.) 3 years' reformatory detention	28/ 7/24	Still in prison.	

NOTE.—D. is a native of New Zealand, aged 38 years and married. His second offence, a very serious one, was committed on a female child of 9 years, the child being subjected to great violence and raped. He was released from prison on license on 20th February, 1922, when he married a respectable woman who knew nothing of his past history. She states that he was a good husband. There is one child of the marriage, a female of 11 months. He is addicted to drink, and is said to have been under the influence of liquor when he committed his last offence. He is not a fit subject to be at liberty, as it was the merest accident that his last offence did not become as serious as that he committed in 1912. Offender has two brothers, both criminals.

CASE No. 5.

Number of Successive Convictions.	Age of Offender when offence committed.	Offence.	Sentence.	Sentenced (Date).	Released (Date).	Period at Large before arrest on Further Charge.
E. 1	14	Breaking, entering, and theft	Committed to Burnham	26/11/00	---	
2	15	Absconding	Returned to Burnham	15/ 5/07	---	
3	15	Breaking, entering, and theft	12 months' hard labour	18/ 4/01	15/ 2/02	2 years 3 months.
4	19	Drunk	Fined 5s. and costs	23/ 5/04	---	
5	19	"	Fined 5s. and costs	3/11/04	3/11/04	3 months.
6	20	Sodomy	Life	15/ 2/05	21/ 6/21	2 years 4 months.
7	38	(1.) Indecent assault on a male (2.) Common assault	(1.) 10 years' hard labour (2.) 1 year's hard labour	30/10/23 "	Still in prison.	

NOTE.—E. is a native of New Zealand, aged 39 years and married, with one child. He is reported to suffer from injuries to the head caused by a fall from a tree when eleven years of age, and to be subject to uncontrollable fits of temper and loss of mental balance since that age. Offender was educated in Auckland, and passed the Third Standard only at the age of 13. He was committed to Burnham at the age of 10 for two years, from which institution he absconded on several occasions. According to his own statement, during his term at Burnham the practice of sodomy was fairly common, and the boys often talked about it, but in his opinion did not regard it as a serious offence. He states they were flogged for it, but did not think much of that either, because they were flogged for many other things which he knew were not serious. He says he also met boys from another industrial school who were sent to Burnham, who also did and talked about the same practice. Altogether, therefore, he knew he was doing wrong, but he will not admit that he regarded it in any way as a serious offence. In 1903 he went to sea, and states that his chief companion was a member of the Salvation Army, also a seaman. He affirms that during all the time he was at sea he never heard the offence referred to. The men talked of women but never of sodomy. From 1903 to 1905 he apparently lived a reasonably good life. In 1905 he was convicted of sodomy and sentenced to life imprisonment. He was released on license on the 20th June, 1921, and followed the occupation of gardener around Auckland. He married in June, 1923, and is at present serving a long sentence. Offender alleges having made arrangements to be sterilized, but states doctor refused to perform operation. Drink appears to have had some effect upon his life.

CASE No. 6.

Number of Successive Convictions.	Age of Offender when offence committed.	Offence.	Sentence.	Sentenced (Date).	Released (Date).	Period at Large before arrest on Further Charge.
F. 1	12	Theft	To come up when called upon	8/10/92	---	
2	12	"	Sent to Burnham	5/12/92	---	
3	20	"	7 days' hard labour	28/ 4/00	---	
4	20	"	To come up when called upon	24/10/00	---	
5	21	Breaking, entering, and theft	12 months' hard labour	26/ 2/01	21/12/01	3 months.
6	22	Vagrancy	3 months' hard labour	3/11/04	21/ 6/02	1 year 8 months.
7	24	Indecent assault	5 years' hard labour	3/11/04	23/12/07	9 months.
8	25	Escaping from custody	4 months' hard labour, cumulative with above	17/ 5/05	"	
9	28	Indecent assault	7 years' hard labour	8/ 9/08	8/12/13	3 years 5 months.
10	37	"	7 years' hard labour	14/ 5/17	20/11/22	6 months.
11	43	Indecent assault on a female (two charges)	3 years' hard labour on each charge, cumulative, and declared habitual criminal	8/ 5/23	Still in prison.	

NOTE.—F. is a native of New Zealand, born in Napier, February, 1880, and is a labourer by occupation. He was convicted of theft at Napier when a boy and sent to the Burnham Industrial School, from which place he escaped on several occasions. He was discharged from the school on the 30th April, 1898, and since then has continued his criminal career, his further offences being of a sexual nature. He is given to tampering with little girls, and has on four occasions committed indecent assault of a more or less serious nature. He is undoubtedly a menace to society and not fit to be at large. Offender is a temperate man, and when out of gaol appears to have wandered about the country doing an odd day's work here and there. His parents are dead.

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